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# Journal of Proceedings

The Minutes of the

## Board of Supervisors

City and County of San Francisco



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, January 6, 1997 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal, Teng, Yaki - 8.

Noted absent at first roll call:

Supervisors Hsieh, Katz - 2.

Quorum present.

Supervisor Hsieh was noted present at 2:07 p.m.

Supervisor Katz excused. (See Infra.)

Supervisor Katz Excused

The Clerk stated Supervisor Katz requested to be excused from attending today's meeting .

Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisor Katz.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Katz - 2.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Kathryne Lee v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Kathryne Lee against the City and County by payment of \$7,500. (City Attorney)

File 45-96-98, Ordinance No. 15-97

(Superior Court No. 968-315.)

Finally passed.

[William Johlie v. CCSF, et al.]

Ordinance authorizing settlement of litigation of William Johlie against the City and County by payment of \$25,000. (City Attorney)

File 45-96-99, Ordinance No. 16-97

(Superior Court No. 978-208.)

Finally passed.

January 6, 1997

[Gregoria Segado et al., v. CCSF et al.]

Ordinance authorizing settlement of litigation of Gregoria Segado against the City and County by payment of \$6,000. (City Attorney)

File 45-96-100, Ordinance No. 17-97

(Municipal Court No. 114-402.)

Finally passed.

[Grace Ryan v. CCSF et al.]

Ordinance authorizing settlement of litigation of Grace Ryan against the City and County by payment of \$70,314.09. (City Attorney)

File 45-96-101, Ordinance No. 18-97

(Superior Court No. 973-066.)

Finally passed.

[GA Rights Union et al. v. Cahill et al.]

Ordinance authorizing settlement of litigation of GA Rights Union against the City and County by payment of \$38,626. (City Attorney)

File 45-96-102, Ordinance No. 19-97

(Superior Court No. 973-227.)

Finally passed.

[Homer J. Olsen et al. v. CCSF and CH2M Hill]

Ordinance authorizing settlement of litigation of Homer J. Olsen/Ohbayashi Corporation and Brayer/Abbett against the City and County and CH2M Hill by payment of \$2,000,000. (City Attorney)

File 45-96-103, Ordinance No. 12-97

(Alameda County Superior Court, Northern Division; Docket No. 727093-8.)

Finally passed.

#### Recommendations of Housing and Land Use Committee

#### Finally Passed

[Roadway Acceptance, Tunnel Avenue]

Ordinance accepting for maintenance the roadway, including the curbs, of Tunnel Avenue from the San Francisco-San Mateo County line to 651 feet northerly. (Department of Public Works)

File 9-96-3, Ordinance No. 13-97

Finally passed.

[Changing Width of Sidewalk, Beale Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" changing the official sidewalk width on the north side of Beale Street westerly of Harrison Street, as shown on the Department of Public Works drawing labeled Q-20-466 and making findings pursuant to Planning Code Section 101.1. (Supervisor Alioto)

File 34-96-13, Ordinance No. 14-97

(Adds Section 1533.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal, Teng, Yaki - 8.

January 6, 1997

Absent: Supervisors Hsieh, Katz - 2.

Regular Calendar

NEW BUSINESS

Recommendations of Health, Public Safety and Environment Committee

Passed for Second Reading

[Cigarette Vending Machine Ban]

Ordinance amending Health Code, to ban cigarette vending machines in the City and County, even those located in places where minors are not permitted by law. (Supervisors Alioto, Yaki, Leal, Ammiano, Bierman, Katz, Teng, Brown)

File 118-96-2, Ordinance No.

(Amends Article 19D, Sections 1009, 1009.1 and 1009.2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisors Teng and Brown requested to be added as co-sponsors.

Passed for Second Reading as Amended

[Permit Regulations for Tow Car Companies]

Ordinance amending Police Code, providing regulations for the operation of tow car companies. (Police Department)

File 121-96-12, Ordinance No.

(Adds Article 30.1, Sections 3050 through 3065.)

(December 16, 1996 - Rereferred to Committee.)

(December 19, 1996 - Amended in Committee.)

Supervisor Alioto, seconded by Supervisor Teng, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

Recommendations of Rules Committee

Passed for Second Reading

(Supervisor Ammiano dissenting in Committee.)

[Joint Powers Board]

Ordinance approving amended and restated Joint Powers Agreement changing the manner of Santa Clara County representation on the Joint Powers Board, incorporating prior amendments approved by member agencies, and waiving the requirements of tropical hardwood clause (Section 12I.5(b) of the Administrative Code.) (Supervisor Hsieh)

File 172-96-45, Ordinance No.

Passed for second reading by the following vote:

January 6, 1997

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

Adopted

[Appointment]

Resolution appointing member to the Sunshine Ordinance Task Force, for new two-year term ending April 27, 1998. (Rules Committee)

File 92-96-21, Resolution No. 32-97

(Zoran Basich, vice Bruce Bellingham, Seat No. 27103, resigned, must be member of press or electronic media with interest in citizen access and participation in local government.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

[Appointment]

Resolution appointing member to the Sunshine Ordinance Task Force, for the unexpired portion of a two-year term ending April 27, 1998. (Rules Committee)

File 92-96-67, Resolution No. 42-97

(Nancy Sutley, vice Landis Whistler, Seat No. 27107, resigned, must be member of the public with interest/experience in local government.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

[Appointments]

Resolution appointing members to the Hazardous Materials Advisory Committee. (Rules Committee)

File 92-96-53.1, Resolution No. 33-97

(Matthew Lintner, vice E. Seth Ligon, III, Seat No. 22610, Mayor's nominee, term expired, for a new four-year term ending July 1, 1999;

(Kathryn Hyde, vice Jeffrey Bornstein, Seat No. 22609, Mayor's nominee, term expired, for a new four-year term ending July 1, 1998.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

[Appointment]

Resolution appointing member to the Ballot Simplification Committee, for new two-year term ending November 30, 1998. (Rules Committee)

File 92-96-62.2, Resolution No. 34-97

(Mary Hilton, vice Mary Jane Brinton, Seat No. 21203, represents League of Women Voters, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

January 6, 1997

(Supervisor Leal excused from voting in Committee.)

[Appointment]

Resolution appointing Supervisor Susan Leal as a member of the Association of Bay Area Governments Executive Board, for unexpired portion of term ending June 30, 1997. (Rules Committee)

File 92-96-63.1, Resolution No. 35-97

(Supervisor Leal, vice Supervisor Bierman, Seat No. 10302, regular position, resigned.)

Supervisor Leal Excused from Voting

The Clerk announced that Supervisor Leal requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisor Leal from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Teng, Yaki - 8.

Excused: Supervisor Leal - 1.

Absent: Supervisor Katz - 1.

[Appointment]

Resolution appointing Supervisor Mabel Teng as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Rules Committee)

File 92-96-64, Resolution No. 30-97

(Supervisor Teng, vice Angela Alioto, Seat No. 50305.)

Supervisor Teng Excused from Voting

The Clerk announced that Supervisor Teng requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisor Teng from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Yaki - 8.

Excused: Supervisor Teng - 1.

Absent: Supervisor Katz - 1.

(Supervisor Ammiano excused from voting in Committee.)

[Appointment]

Resolution affirming retention of Supervisor Tom Ammiano as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Rules Committee)

File 92-96-64.1, Resolution No. 36-97

(Supervisor Ammiano, Seat No. 50306.)

Supervisor Ammiano Excused from Voting

January 6, 1997

The Clerk announced that Supervisor Ammiano requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisor Ammiano from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 8.

Excused: Supervisor Ammiano - 1.

Absent: Supervisor Katz - 1.

(Supervisor Leal excused from voting in Committee.)

[Appointment]

Resolution affirming retention of Supervisor Susan Leal as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Rules Committee)

File 92-96-64.2, Resolution No. 37-97

(Supervisor Leal, Seat No. 50307.)

Supervisor Leal Excused from Voting

The Clerk announced that Supervisor Leal requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisor Leal from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Teng, Yaki - 8.

Excused: Supervisor Leal - 1.

Absent: Supervisor Katz - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

(Supervisor Kaufman excused from voting in Committee.)

[Appointment]

Resolution affirming retention of Supervisor Barbara Kaufman as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Rules Committee)

File 92-96-64.3, Resolution No. 38-97

(Supervisor Kaufman, Seat No. 50308.)

Supervisor Kaufman Excused from Voting

The Clerk announced that Supervisor Kaufman requested to be excused from voting because of a possible conflict of interest.



January 6, 1997

Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisor Kaufman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh Leal, Teng, Yaki - 8.

Excused: Supervisor Kaufman - 1.

Absent: Supervisor Katz - 1.

The President resumed the Chair.

[Appointments]

Resolution affirming retention of members appointed by the Board of Supervisors as members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Rules Committee)

File 92-96-64.4, Resolution No. 39-97

(Stephan C. Leonoudakis, Seat No. 50301;  
Robert McDonnell, Seat No. 50303;  
Robert A. Ross, Seat No. 50304.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

[Appointment]

Resolution appointing member to the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Rules Committee)

File 92-96-64.5, Resolution No. 31-97

(John Moylan, vice James Bronkema, Seat No. 50302.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

[Appointment]

Resolution appointing Supervisor Sue Bierman, as member to the Peninsula Corridor Study Joint Powers Board, for unexpired portion of two-year term ending June 30, 1998. (Rules Committee)

File 92-96-65, Resolution No. 40-97

(Supervisor Bierman, vice Supervisor Hsieh, Seat No. 12301, resigned.)

Supervisor Bierman Excused from Voting

The Clerk announced that Supervisor Bierman requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisor Bierman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

January 6, 1997

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 8.

Excused: Supervisor Bierman - 1.

Absent: Supervisor Katz - 1.

[Appointment]

Resolution appointing member to the Park and Open Space Advisory Committee, for the unexpired portion of a two-year term ending July 15, 1997. (Rules Committee)

File 92-96-66, Resolution No. 41-97

(Bette Wallace Landis, vice Christine Schneider, Seat No. 23318, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Katz - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Ammiano assumed the Chair.

After a brief period Supervisor Kaufman resumed the Chair.

Committee Assignment Changes

For the purposes of the January 7, 1997 regular meeting, President Kaufman appointed Supervisor Yaki to replace Supervisor Katz on the Economic Vitality and Social Policy Committee and made the following appointments to the Budget Committee.

Budget Committee:

Supervisors Leal, Kaufman, Brown;

Economic Vitality and Social Policy Committee:

Supervisors Teng, Yaki, Brown.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Speaking in favor of resolutions commending Supervisors Alioto and Hsieh: Lawanna Preston, David Spero, Ernestine Weiss, Laurence Wong, Alex Wong, Leboriae P. Smoore, Irene Jimenez, Karen Licavoli, Kurt Kleinschmidt, Jerry Windley, Ms. Hansen, Mike Mathewson, Easter Garcia, Patricia Katty, Lauri Chee, Philip Choy, Philip Carleton, William Tse, female speaker, female speaker, Albert Chang, male speaker, Reg Smith, Robert McCarthy.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commending The Honorable Angela Alioto]

Resolution commending the Honorable Angela Alioto for her distinguished service on the Board of Supervisors. (Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki)

File 6-96-188, Resolution No. 1-97

(December 23, 1996 - Introduced in Board for consideration on January 6, 1997.)

Adopted.

January 6, 1997

[Commending The Honorable Tom Hsieh]

Resolution commending the Honorable Tom Hsieh for his distinguished service on the Board of Supervisors. (Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki)

File 6-96-189, Resolution No. 2-97

(December 23, 1996 - Introduced in Board for consideration on January 6, 1997.)

Adopted.

[Agreement, Sheriff - Interactive Systems]

Resolution authorizing the Sheriff's Department to enter into an agreement with Interactive Systems, LLC for VINE, an automated victim notification service, which agreement provides for mutual indemnification from claims or other damages which arises as a result of performance under said agreement. (Supervisor Kaufman)

File 172-96-48.1, Resolution No. 45-97

(December 23, 1996 - Introduced in Board for consideration on January 6, 1997.)

Adopted.

[Water Department-Bernal Property, Tolling Agreement]

Resolution authorizing City Attorney to modify an agreement with Alameda County and the City of Pleasanton that extends the statute of limitations for lawsuit, if any, related to land use entitlements for the San Francisco Water Department's Bernal property. (Supervisor Kaufman)

File 172-96-49, Resolution No. 43-97

(December 23, 1996 - Introduced in Board for consideration on January 6, 1997.)

Adopted.

[Symphony]

Resolution requesting the San Francisco Symphony management remit to professional choristers the wages due them for any concerts and rehearsals canceled by the strike, furthermore, encouraging the management not to take punitive measures against any Symphony employee who may exercise the right to speak out for the musicians in order to show support for the San Francisco Symphony. (Supervisors Ammiano, Alioto, Bierman, Brown)

File 176-96-9.1, Resolution No. 44-97

(December 23, 1996 - Introduced in Board for consideration on January 6, 1997.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.26

(December 23, 1996 - Introduced in Board for consideration on January 6, 1997.)

Adopted.

[Final Map, 301 Langton Street]

Motion approving final map of 301 Langton Street, a Live/Work Condominium Project, being a subdivision of Lot 86 in Assessor's Block 3780, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-43

(December 27, 1996 - Referred to Board for consideration on January 6, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

January 6, 1997

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Katz, Leal - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Grievance Settlement, Local 21]

Substitute ordinance implementing settlement of a grievance filed pursuant to the Memorandum of Understanding between the City and County and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 providing for a step increase for provisional employees to be effective for the period July 1, 1995 through June 30, 1998. Supervisor Ammiano presented. Referred to Budget Committee.

File 093-96-033.

Referred to Board

[Comprehensive Municipalization Feasibility Study]

Ordinance amending Administrative Code Section 11.8 to require the Public Utilities Commission to prepare a feasibility study regarding municipalization of the electric utilities distribution systems in San Francisco. Called from Budget Committee by Supervisors Alioto, Bierman with direction to schedule for Board consideration January 13, 1997.

File 097-96-061.

Referred to Committee

[Transit Shelter Advertising]

Substitute ordinance amending Planning Code Section 603 to permit transit shelter advertising on median public transit boarding platforms on the Embarcadero and adopting findings pursuant to Planning Code Section 101.1 (as recommended by Planning Commission). Supervisor Yaki presented. Referred to Housing and Land Use Committee.

File 115-96-008.

[Special Election, June 3, 1997]

Ordinance calling and providing for a special election to be held in the City and County on Tuesday, June 3, 1997, provided that one or more measures is timely submitted to the voters of the City and County to be voted on at that election. Clerk of the Board. Referred to Budget Committee.

File 060-97-001.

[General Assistance, Loan Exemption]

Ordinance amending Administrative Code Section 20.56.11, the General Assistance Ordinance, to exempt loans from consideration as income. Supervisor Alioto presented. Referred to Budget Committee.

File 097-97-002.

[General Assistance, Grant Level Increase]

Ordinance amending Administrative Code Section 20.57, the General Assistance Ordinance, to increase the maximum grant for two person families (from \$567 to \$690). Supervisor Alioto presented. Referred to Budget Committee.

File 097-97-003.

Referred to Board

[Proclaim School Board Recognition Month]

Resolution proclaiming January 1997 as School Board Recognition Month. Supervisors Ammiano, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 13, 1997.

File 004-97-001.

January 6, 1997

[Commend Chinese American Association of Commerce]

Resolution commending the Chinese American Association of Commerce and declaring January 11, 1997 as "Chinese American Association of Commerce Day". Supervisors Teng, Hsieh, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 13, 1997.

File 006-97-001.

[Commend Kiangsu Chekiang Association]

Resolution commending Kiangsu Chekiang Association and declaring January 31, 1997 as "Kiangsu Chekiang Association Day". Supervisors Teng, Hsieh, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 13, 1997.

File 006-97-002.

[Commend Wu Yee Children's Services]

Resolution commending Wu Yee Children's Services on its 20th anniversary and declaring January 31, 1997 as "Wu Yee Children's Services Day". Supervisors Teng, Hsieh, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 13, 1997.

File 006-97-003.

Referred to Committee

[Final Tentative MOUs and Arbitration Awards]

Resolution requiring submission of final tentative memoranda of understanding and final arbitration awards issued pursuant to Charter Sections 8.409 et seq. to the Clerk of the Board on specific dates and providing that full documentation supporting the item be placed in the Board file at the same time. Supervisor Kaufman presented. Referred to Rules Committee with request it be considered at a special meeting January 13, 1997.

File 093-97-001.

Requests for Hearings:

[Sanctuary Law]

Hearing to consider the possible misuse of the felony amendments of the sanctuary law. Supervisor Ammiano presented. Referred to Health/Public Safety/Environment Committee.

File 097-97-004.

[Potrero Hill, Public Safety]

Hearing to consider the violence in Potrero Hill and the correlation (if any) to the bars and nightclubs in this neighborhood. Supervisors Ammiano, Bierman, Brown presented. Referred to Health/Public Safety/Environment Committee.

File 216-97-001.

[Esprit Park]

Hearing to consider preservation of Esprit Park located at 19th and Minnesota Streets. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 218-97-001.

Motions:

Referred to Committee

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors in order to restructure the standing committees of the Board, changing the number of committees from nine to five and specifying duties, by repealing Rules 5.1 - 5.6, by adding Rules 5.1 through 5.6, and by terminating operations of select committees. Supervisor Kaufman presented. Referred to Rules Committee with request it be considered at a special meeting January 13, 1997.

File 056-97-001.

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.40 in order to require thirty days' notice of hearings to consider major changes in city policy. Supervisor Kaufman

January 6, 1997

presented. Referred to Rules Committee with request it be considered at a special meeting January 13, 1997.

File 056-97-002.

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 2.29 in order more effectively to process appointments to commissions by the Mayor. Supervisor Kaufman presented. Referred to Rules Committee with request it be considered at a special meeting January 13, 1997.

File 056-97-003.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-96-014. [Changing Width of Sidewalk, Corbett Avenue] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1534 changing the official width on a portion of the southwesterly side of Corbett Avenue southeasterly of Iron Alley, as shown on Department of Public Works drawing labeled Q-20-461 and making findings pursuant to Planning Code Section 101.1; companion measure to File 35-96-1. Referred to Housing and Land Use Committee.

File 034-96-015. [Changing Width of Sidewalk, Division Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the width of sidewalks" by adding thereto Section No. 1535 changing the official sidewalk width on the south side of Division Street between Florida Street and Bryant Street, as shown on the Department of Public Works drawing labeled Q-20-474 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 093-96-035. [MOU, Airport Police, Bargaining Unit 148] Ordinance implementing the provisions of the Memorandum of Understanding between the San Francisco Airport Police Officers Association and the City and County of San Francisco for Bargaining Unit 148, to be effective July 1, 1995 through June 30, 1997. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-96-036. [MOU, Airport Police, Bargaining Unit 158] Ordinance implementing the provisions of the Memorandum of Understanding between the San Francisco Airport Police Officers Association and the City and County of San Francisco for Bargaining Unit 158, to be effective July 1, 1995 through June 30, 1997. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 097-96-066. [Conflict of Interest Code] Substitute Ordinance amending Chapter 58 of the San Francisco Administrative Code by amending Sections 58.6, 58.7, 58.110, 58.115, 58.130, 58.135, 58.145, 58.150, 58.155, 58.165, 58.180, 58.195, 58.198, 58.201, 58.202, 58.210, 58.220, 58.245, 58.275, 58.280, 58.285, 58.290, 58.310, 58.320, 58.323, 58.325, 58.350, 58.357, 58.370, 58.382, 58.383, and 58.390; adding Sections 58.150, 58.198, and 58.201; and deleting section 58.355; to add, delete, and change the titles of designated officials and employees, to reflect organizational and staffing changes made by the City since the Conflict of Interest Code was last reviewed; to refine the disclosure requirements applicable to some designated officials and employees; and to incorporate the new departments and new department names created by the 1996 Charter. (City Attorney) Referred to Rules Committee.

File 124-96-009. [Turn Restrictions, Bicycles and Motorcycles] Ordinance amending Traffic Code Section 34 by adding Section 34.2 et seq. regarding the exemption of bicycles and motorcycles from turn restrictions. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 028-96-012. [Emergency Repair, Pier 70 Drydock Oil Spill] Resolution approving a declaration of emergency for contractual assistance in assessing damages from the Cape Mohicon oil spill incident at Pier 70 - \$35,000. (Port Commission) Referred to Budget Committee.

File 028-96-013. [Emergency Repair, Pier 48 Sheds A and B] Resolution approving a declaration of emergency to demolish the fire damaged Pier 48 at the Port of San Francisco; and to conduct damage assessment and design repair work - \$750,000 insurance proceeds. (Port Commission) Referred to Budget Committee.

File 028-96-014. [Emergency Repair, Pier 43-1/2] Resolution approving a declaration of emergency for engineering services to repair a failed section of Pier 43-1/2, Franciscan Restaurant Parking Deck, Port of San Francisco - \$12,955. (Port Commission) Referred to Budget Committee.

File 040-96-031. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-96-070. [Settlement of Claim, Khalil Benkirane] Resolution approving the settlement of the unlitigated claim of Khalil Benkirane by payment of \$13,000.00 (City Attorney) Referred to Government

January 6, 1997

Efficiency/Labor Committee.

File 048-96-071. [Settlement of Claim, Jeanne Davis] Resolution approving the settlement of the unlitigated claim of Jeanne Davis by payment of \$19,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-96-014. [Pacific Bell Mobile Services Transmitter Lease] Resolution authorizing and approving a lease of wireless transmitter and antennae space within and on Fire Department Station 15 to Pacific Bell Mobile Services. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 146-96-021.01. [State Grant, Childhood Lead Prevention] Resolution authorizing the Department of Public Health Childhood Lead Prevention Program, to retroactively accept and expend the Medi-Cal allocation of \$275,399 which includes indirect costs in the amount of \$33,610, based on twenty percent of salaries from the Department of Health Services for childhood lead poisoning case management of Medi-cal enrolled or eligible children. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-030. [State Grant, Senior Pedestrian Safety Project] Resolution authorizing the Department of Public Health, Bureau of Health Promotion and Education, to apply for a grant of \$600,000, from the California Office of Traffic Safety, for the Senior Pedestrian Safety Project; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee with request it be considered at the January 14, 1997 meeting.

File 146-96-031. [Private Grant, Outreach and Follow-Up Services] Resolution authorizing the Department of Public Health, Community Public Health Services, to apply retroactively for a grant of \$135,000, which includes indirect costs in the amount of \$8,497, based on twenty percent of salaries, from the Wellness Foundation, for outreach and follow-up services to adolescents to prevent unwanted pregnancies; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-032. [Private Grant, Community Action Plan] Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for a grant of \$175,000 from the Wellness Foundation, to develop a community action plan to reduce teen pregnancies. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Leal, that letters be sent to Executive Director, Public Utilities Commission and Director of Public Health requesting status report in writing and make appropriate public announcements regarding the safety of San Francisco's potable water supply following the excessive rains and flooding the past few weeks in Northern California. The report and announcement should include a statement as to whether there is any danger to anyone with compromised immune systems as a result of cryptosporidium or other water contaminants, and if so, what precautions should be taken and for how long.

By Supervisor Yaki, that City Attorney explore and draft appropriate legislation concerning business permits for establishments such as clubs, to provide for automatic forfeiture of licenses in the event of a pattern of certain undesirable activities (felonies or other disorderly acts associated with a particular club) with a right of appeal to the Board of Permit Appeals by the forfeitee.

By Supervisor Yaki, that City Attorney prepare appropriate legislation to require as a condition for approval of any settlement of any personal injury claim resulting from driving incidents by City employees, of any and all disciplinary action taken against the driver.

By Supervisor Ammiano, that the City Attorney, District Attorney and the Department of Public Health draft legislation creating a permit system to implement Proposition 215, Compassionate Use Act of 1996 (use of marijuana for medical purposes).

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Jim Augustino (By the entire Board)  
Peter Yan (Supervisor Hsieh)  
Michael Neubecker (Supervisor Bierman)  
Sue Bailey Thurman (Supervisor Bierman)  
Robert J. Ayala (Supervisor Bierman)  
Mrs. Salinas (Supervisor Alioto)  
Donald Ramacciotti (Supervisor Leal)  
Roosevelt Carrie (Supervisors Brown, Bierman)

File 2-96-1

January 6, 1997

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:34 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Wednesday, January 8, 1997 - 12:00 noon

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The Board of Supervisors of the City and County of San Francisco met in special inaugural session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 12:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Quorum present.

COMMUNICATIONS

The Clerk indicated he has received communication from the Director of Elections certifying the names of those candidates for the office of Supervisor who received a plurality of votes cast at the election held on November 5, 1996 and who are therefore declared elected to said office, namely:

Sue Bierman	Jose Medina
Leslie Katz	Michael Yaki
Barbara Kaufman	Leland Yee

and certifying the name of the candidate, Barbara Kaufman, who received the highest number of votes at the November election, who thus becomes President of the Board of Supervisors as provided in Charter Section 2.116.

The Clerk then stated he received communication from the Controller, giving notice that official bonds for all eleven members of the Board of Supervisors have been duly filed.

Administration of Oath

President Kaufman introduced the Honorable Stanley Mosk, Justice, California Supreme Court, then requested the members named above to stand, whereupon the oath of office was administered by Judge Mosk.

Presentation of the Mayor

President Kaufman introduced the Honorable Mayor, Willie L. Brown, Jr. The Mayor congratulated the newly and re-elected members of the Board of Supervisors and hoped they will take their obligations and responsibilities with the highest of ethical standards and give every citizen equal access before they cast their vote.

Remarks of President Kaufman

Supervisor Kaufman spoke on the direction she hopes the Board of Supervisors would follow and of the pending changes to the Board of Supervisors Rules of Order concerning committee structure and imposing a 30 day notice rule on major policy issues.

Introduction of Supervisors  
and Members of their Families

Each member of the Board was called upon for brief remarks and introduction of their respective families and friends.

January 8, 1997

The following distinguished guests were recognized:

Assemblywoman Carole Migden, Supervisor Tom Hsieh, Assemblyman Kevin Shelley, City Attorney Louise Renne, Assessor Doris Ward, District Attorney Terence Hallinan, Sheriff Mike Hennessey and Treasurer Mary Callanan.

ADJOURNMENT

There being no further business, the Board at the hour of 1:19 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 10, 1997

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, January 13, 1997

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 13, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Ammiano, Teng - 2.

Quorum present.

Supervisor Ammiano was noted present at 2:09 p.m.

Supervisor Teng was noted present at 2:07 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Leal, moved that the Journals of Proceedings for Monday, October 28 and November 4, 1996 be approved.

Motion carried by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Ammiano - 1.

Presentation of Guests  
Suspension of the Rules

Supervisor Yee introduced and welcomed Gary Woo, human rights activists from China who coordinated and participated in the first Asian Gay conference in South East Asia.

Supervisor Yee, seconded by Supervisor Ammiano, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mr. Woo.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Mr. Woo expressed his appreciation of the support he has received from San Francisco and hopes to interact and work with individuals throughout the United States on common human rights issues regarding the plight of gays and lesbians with Asian backgrounds.

COMMUNICATION

The Clerk presented the following communication from his Honor Willie L. Brown, Jr.

PROCLAMATION OF EMERGENCY

WHEREAS, California Government Code section 8500 et seq., San Francisco Charter section 3.100 and Chapter 7 of the San Francisco Administrative Code empowers the Mayor to proclaim (subject to ratification by the Board of Supervisors) the existence of a local emergency when City and County is affected or threatened by a natural disaster or other local emergency posing conditions of extreme peril to life or property, and

Monday, January 13, 1997

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within this City and County, including at which time the Board of Supervisors was not in session; and

WHEREAS, the MAYOR does hereby find that the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency;

NOW THEREFORE, I Willie Lewis Brown, Jr., Mayor of the City and County of San Francisco, do hereby proclaim the existence of a local emergency within the City and County to be effective on January 8, 1996.

It is further proclaimed and ordered that: Under the terms of this emergency, the government of the City and County of San Francisco is organized under the provisions of the Standardized Emergency Management System (SEMS), which system forms an essential part of the City's Emergency Plan. The head of each government department and agency will observe his/her proper relationship in the command structure outlined by that system and will be responsive to the orders and requests of the staff section chief designated to exercise staff supervision over his or her department.

Because of the extreme peril to the residents of this City, the Governor of the State of California is hereby requested to include the City and County of San Francisco in an Emergency Declaration of the State and is further requested to ensure that the City and County is included in any emergency declaration that may be issued by the President of the United States.

It is further proclaimed and ordered that this declaration of a local emergency shall be deemed to continue to exist until it is terminated by the Mayor or Board of Supervisors. All departments of the City and County of San Francisco are strictly enjoined to cooperate with the requests for material and personnel resources which may emanate from the Incident Command Staff of said City and County which is located in the Emergency Command Center of the City and County of San Francisco.

DATED: January 9, 1997

WILLIE LEWIS BROWN, JR.  
MAYOR

(For ratification by Board of Supervisors see infra. File 270-97-1.)

#### CONSENT CALENDAR

##### Recommendation of Health, Public Safety and Environment Committee

Finally Passed

[Cigarette Vending Machine Ban]  
Ordinance amending Health Code, to ban cigarette vending machines in the City and County, even those located in places where minors are not permitted by law. (Supervisors Alioto, Yaki, Leal, Ammiano, Bierman, Katz, Teng, Brown)

File 118-96-2, Ordinance No. 20-97

(Amends Article 19D, Sections 1009, 1009.1 and 1009.2.)

Finally passed.

The foregoing item on the Consent Calendar was acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

#### REGULAR CALENDAR

##### UNFINISHED BUSINESS

##### Recommendation of Health, Public Safety and Environment Committee

Finally Passed

[Permit Regulations for Tow Car Companies]  
Ordinance amending Police Code, providing regulations for the operation of tow car companies. (Police Department)

File 121-96-12, Ordinance No. 21-97

(Adds Article 30.1, Sections 3050 through 3065.)

Finally passed by the following vote:

Monday, January 13, 1997

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Recommendation of Rules Committee

(Supervisor Ammiano dissenting in Committee.)

[Joint Powers Board]

Ordinance approving amended and restated Joint Powers Agreement changing the manner of Santa Clara County representation on the Joint Powers Board, incorporating prior amendments approved by member agencies, and waiving the requirements of tropical hardwood clause (Section 12I.5(b) of the Administrative Code.) (Supervisor Hsieh)

File 172-96-45, Ordinance No. 22-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

NEW BUSINESS

Recommendation of Economic Vitality and Social Policy Committee

Adopted

[Sunset Recreation Center]

Resolution urging the Recreation and Park Department to take corrective action at the Sunset Recreation Center facility by making the facility accessible to the seniors, especially in cases of emergencies. (Supervisors Teng, Alioto, Bierman)

File 193-96-5, Resolution No. 47-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

CALLED FROM BUDGET COMMITTEE BY SUPERVISOR ALIOTO

Refused Passage for Second Reading

[Comprehensive Municipalization Feasibility Study]

Ordinance amending Administrative Code, to require the Public Utilities Commission to prepare a feasibility study regarding municipalization of the electric utilities distribution systems in San Francisco. (Supervisors Alioto, Bierman)

File 97-96-61, Ordinance No.

(Fiscal Impact.)

(Amends Section 11.8.)

(November 27, 1996 - Recommendation of Select Committee on Municipal Public Power.)

(December 11, 1996 - Tabled by Budget Committee; Supervisor Bierman dissenting.)

Refused passage for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman - 2.

Noes: Supervisors Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 8.

COMMITTEE REPORTS

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Association of Bay Area Government Executive Board, Seat No. 10301, for the unexpired portion of term ending June 30, 1997. (Rules Committee)

File 92-96-69, Resolution No. 46-97

Monday, January 13, 1997

(Supervisor Michael Yaki, vice Mabel Teng, resigned.)

Supervisor Yaki Excused from Voting

The Clerk announced that Supervisor Yaki requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Brown, moved to excuse Supervisor Yaki from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Excused: Supervisor Yaki - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair so the President could participate in the debate from the floor.

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors in order to restructure the standing committees of the Board, changing the number of committees from nine to five and specifying duties, by repealing Rules 5.1 - 5.6, by adding Rules 5.1 - 5.6, and by terminating operations of select committees. (Supervisor Kaufman)

File 56-97-1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.40 in order to require thirty days notice of hearings to consider major changes in city policy. (Supervisor Kaufman)

File 56-97-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 2.29 in order to more effectively process appointments to commissions by the Mayor. (Supervisor Kaufman)

File 56-97-3

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Keith McHenry, police investigation, skateboard, welfare reform;  
Aja Monet, Valencia Street construction, board meeting times;  
Jess Gumban, employment issue;  
Male speaker, Aaron Williams case;  
Doug Comstock, oppose diverting funds to Giants, transit fares.



Monday, January 13, 1997

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Adopted

[Proclaim School Board Recognition Month]

Resolution proclaiming January 1997 as School Board Recognition Month. (Supervisors Ammiano, Kaufman, Yaki, Bierman, Katz)

File 4-97-1, Resolution No. 48-97

(January 6, 1997 - Introduced in Board for consideration on January 13, 1997.)

Adopted.

In connection with the above item, Supervisors Yaki, Bierman, Katz requested to be added as co-sponsors.

[Commend Chinese American Association of Commerce]

Resolution commending the Chinese American Association of Commerce and declaring January 11, 1997 as "Chinese American Association of Commerce Day". (Supervisors Teng, Hsieh, Bierman, Kaufman, Yaki, Katz)

File 6-97-1, Resolution No. 49-97

(January 6, 1997 - Introduced in Board for consideration on January 13, 1997.)

Adopted.

In connection with the above item, Supervisors Yaki, Katz requested to be added as co-sponsors.

[Commend Kiangsu Chekiang Association]

Resolution commending Kiangsu Chekiang Association and declaring January 31, 1997 as "Kiangsu Chekiang Association Day". (Supervisors Teng, Hsieh, Bierman, Kaufman, Yaki, Katz)

File 6-97-2, Resolution No. 50-97

(January 6, 1997 - Introduced in Board for consideration on January 13, 1997.)

Adopted.

In connection with the above item, Supervisors Yaki, Katz requested to be added as co-sponsors.

[Commend Wu Yee Children's Services]

Resolution commending Wu Yee Children's Services on its 20th anniversary and declaring January 31, 1997 as "Wu Yee Children's Services Day". (Supervisors Teng, Hsieh, Bierman, Kaufman, Yaki, Katz)

File 6-97-3, Resolution No. 51-97

(January 6, 1997 - Introduced in Board for consideration on January 13, 1997.)

Adopted.

In connection with the above item, Supervisors Yaki, Katz requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

IMPERATIVE CALENDAR

Adopted

[Serious Injury Finding]

Motion that the Board finds by roll call vote that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Monday, January 13, 1997

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Imperative Motion and Resolutions]

Adopted

[1996-1997 Winter Storm Emergency]

Motion concurring in the declaration by the Mayor of a local emergency and requesting the Governor to proclaim a state of emergency and request a Presidential declaration that the City and County of San Francisco is a disaster area.

File 270-97-001.

Supervisor Kaufman presented for immediate adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Dr. Martin Luther King Jr.'s Birthday]

Resolution expressing support of the San Francisco Board of Supervisors in the acknowledgment of Dr. Martin Luther King Jr.'s birthday legacy.

File 006-97-004, Resolution No. 52-97

Supervisor Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Commend Judith Chapman]

Resolution commending Judith Chapman for her outstanding service and contributions to the people of the City and County of San Francisco through her tireless efforts on behalf of the Jewish community and acknowledging her service as retiring Chair of the Jewish Community Relations Council.

File 006-97-005, Resolution No. 53-97

Supervisors Leal, Kaufman, Katz presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

Monday, January 13, 1997

[Yerba Buena Center Redevelopment Project]

Ordinance amending Ordinance No. 98-66, as amended by Ordinance Nos. 201-71, 393-73, 386-76, 367-77, 420-79, 538-81, 477-86 and 404-94, approving and adopting an amendment to the Redevelopment Plan for the Yerba Buena Center Redevelopment Project Area, which amendment

modifies the land use designation for certain property within the project area (east block 1) to add residential land use as a permitted use and to increase the permitted residential density on that property. Supervisor Yaki presented. Referred to Board public hearing January 21, 1997.

File 091-97-001.02.

Referred to Committee

[Industrial Waste Violation Notification]

Ordinance amending Public Works Code Section 132 to authorize citizens to recover costs incurred in providing information which contributes to the identification of violations of the industrial waste ordinance. Supervisor Bierman presented. Referred to Housing and Land Use Committee/Economic Development, Transportation and Technology.

File 123-97-001.

[Industrial Waste Violation Citizen Enforcement]

Ordinance amending Public Works Code by adding Section 139 authorizing citizen suits to enforce against violations of the industrial waste ordinance. Supervisor Bierman presented. Referred to Housing and Land Use Committee/Economic Development, Transportation and Technology Committee.

File 123-97-002.

[Sewers and Sewage Management]

Ordinance amending Public Works Code by amending Articles 4 through 4.3 to reflect the transfer of responsibilities concerning sewers and sewage management from the Department of Public Works to the General Manager of the Public Utilities Commission, and to reflect the abolition of the position of Chief Administrative Officer and the transfer of responsibilities formerly assigned to that office. Supervisor Bierman presented. Referred to Housing and Land Use Committee/Economic Development, Transportation and Technology Committee.

File 123-97-003.

Referred to Board

[Extend Time, Planning Commission Actions]

Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinances to amend the Planning Code with respect to Neighborhood Commercial Advisory Councils, Neighborhood Commercial District Pre-application Signposting, and Union Street Design Guidelines. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 21, 1997.

File 115-96-011.01.

[Commend John C. Frantz]

Resolution recognizing John C. Frantz's accomplishments as San Francisco's first Executive Director of Museum of the City of San Francisco and also his accomplishments as the City Librarian for the City and County of San Francisco. Supervisor Amiano presented. Referred to Board for Adoption Without Committee Reference Calendar January 21, 1997.

File 006-97-006.

[Commend The Women's Philharmonic]

Resolution commending The Women's Philharmonic on the occasion of the opening night of its 15th anniversary season and proclaiming January 25, 1997 as Women's Philharmonic Day in the City and County of San Francisco. Supervisors Leal, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 21, 1997.

File 006-97-007.

[Commend "The Living Brush" Exhibition]

Resolution commending "The Living Brush: Four Contemporary Chinese Master Calligraphers" and declaring February 12, 1997 as "Chinese Calligraphy Day" in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar January 21, 1997.

File 006-97-008.

Monday, January 13, 1997

[Commend John E. Newlin]

Resolution commending John E. Newlin for his years of distinguished service as Executive Director of the Department of Parking and Traffic and for his many contributions to the City and County of San Francisco. Supervisors Kaufman, Ammiano, Yaki, Bierman, Katz, Brown, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar January 21, 1997.

File 006-97-009.

[CIA/Contra Drug Trade Investigations]

Resolution endorsing the efforts of Maxine Waters and the Congressional Black Caucus in their attempts to ensure full scale investigations and congressional hearings to respond to the public's concern relative to the Central Intelligence/Contra Drug Trade. Supervisors Ammiano, Brown, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar January 21, 1997.

File 013-97-001.

[Policy, Front License Plates]

Resolution establishing the policy of the City and County to ticket all automobiles that do not have front license plates, urging the Police Commission to continue increased enforcement against motorists without front license plates affixed to their cars and urging the Parking and Traffic Commission to begin increased enforcement against parked cars without front license plates. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar January 21, 1997.

File 043-97-001.

[Yerba Buena Redevelopment Plan, EIR]

Resolution approving Addendum No. 3 to the Yerba Buena Center final subsequent Environmental Impact Report in connection with the proposed amendment to the Redevelopment Plan for Yerba Buena Center Redevelopment Project Area and finding that no further environmental document is required. Supervisor Yaki presented. Referred to Board public hearing January 21, 1997.

File 091-97-001.01.

[Jim Augustino Fishing Pier]

Resolution requesting the Port Commission to designate Pier 7 public access and fishing pier as the James Augustino Fishing Pier (Augie Pier). Supervisors Yaki, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 21, 1997.

File 173-97-001.

Referred to Committee

[Traffic Controls, 30th Street]

Resolution urging the Department of Parking and Traffic to change the traffic controls at San Jose Avenue and 30th Street and Delores and 30th Street to improve the pedestrian safety in an area frequented by elderly persons. Supervisors Teng, Ammiano, Bierman, Katz presented. Referred to Housing and Land Use Committee/Housing and Neighborhood Services.

File 190-97-001.

[Department of Neighborhood Services]

Resolution urging the Department of Public Works to examine, as part of the program to create a Department of Neighborhood Services in San Francisco, the feasibility of developing and implementing one central telephone number for residents to call to access the Department of Neighborhood Services, including producing a feasibility study and an estimate of costs. Supervisor Kaufman presented. Referred to Government Efficiency/Labor Committee/ Housing and Neighborhood Services Committee.

File 200-97-001.

Requests for Hearings:

[Welfare Reform]

Hearing to consider Governor Wilson's welfare reform proposal and its impact on the communities of San Francisco. Supervisors Teng, Bierman, Brown, Katz presented. Referred to Health/Public Safety/Environment Committee/Housing and Neighborhood Services Committee.

File 012-97-001.

Monday, January 13, 1997

[Condom Advertising]

Hearing to consider the lack of availability of condom advertising on broadcast and cable television. Supervisors Ammiano, Leal, Bierman, Katz presented. Referred to Health/Public Safety/Environment Committee/Health, Family and Environment Committee.

File 030-97-002.

[Yerba Buena Center Redevelopment Project]

Communication from Redevelopment Agency requesting the Board of Supervisors schedule public hearing on Tuesday, January 21, 1997 to consider proposed amendment to the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1 which would modify the land use designation for certain property within the Project Area to add residential use as an authorized use. Clerk of the Board. Referred to Board public hearing January 21, 1997.

File 091-97-001.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar January 21, 1997.

File 30-97-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 097-97-001. [Time for Award of Contracts] Ordinance amending Administrative Section 6.1-1 to provide for additional time for awarding contracts let by the Public Utilities Commission. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 101-96-032. [Appropriation, Department of Human Resources] Ordinance appropriating \$414,553, Department of Human Resources-ERD, from the General Fund Reserve for professional services, other current services, materials and supplies and equipment for labor negotiation costs for fiscal year 1996-97. (Controller) Referred to Budget Committee with request it be considered at the January 15, 1997 meeting.

File 101-96-033. [Appropriations, Recreation and Park Department] Ordinance appropriating \$100,000, Recreation and Park Department, from a General Fund Reserve, for an integrated pesticide plan for training, materials and supplies, equipment and services of other department for fiscal year 1996-97. RO #96180. (Controller) Referred to Budget Committee.

File 101-96-034. [Appropriation, Mayor's Office] Ordinance appropriating \$60,145, Mayor's Office, from General Fund Reserve for bilingual domestic violence to allow the Mayor's Office to contract with the Asian Women's Shelter for fiscal year 1996-97. RO #96176. (Controller) Referred to Budget Committee.

File 101-96-035. [Appropriation, Mayor's Office of Community Dev.] Ordinance appropriating \$187,936, Mayor's Office of Community Development, to continue contracts for dispute resolution services in fiscal year 1996-97; providing for ratification of action previously taken. RO #96185. (Controller) Referred to Budget Committee.

File 121-96-014. [Permits, Specialized Motor Vehicles for Hire] Substitute ordinance amending Police Code by amending Section 1076, the definitional section thereof, and adding Sections 1148 through 1148.5 providing for the issuance of permits and the operation and regulation of specialized motor vehicles for hire. (Police Commission) Referred to Budget Committee.

Resolutions Referred to Committee

File 027-97-001. [Biological Opinion Cooperative Agreement, SFIA] Resolution approving the Biological Opinion Cooperative Agreement between the Airport, the California Department of Transportation, and the Federal Highway Administration. (Airport Commission) Referred to Government Efficiency/Labor Committee.

File 214-96-004.01. [Juvenile Justice Coordinating Council] Resolution establishing a multiagency juvenile justice coordinating council to develop a local action plan to provide a continuum of responses to juvenile crime and delinquency; rescinding Resolution No. 1004-96. (Mayor) Referred to Government Efficiency/Labor Committee.

Monday, January 13, 1997

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Leal, Medina, that City Attorney prepare ordinance which would ban the sale of certain automotive products to minors being used as inhalants known as "chemo" and the Director of Community Substance Abuse Services for the Department of Public Health is requested to assist in identifying the active ingredients in these products which produce intoxication.

By Supervisor Katz, that City Attorney prepare ordinance to require City departments to minimize the use of pesticides with exemptions and develop integrated pest management policies.

By Supervisor Katz, that City Attorney prepare ordinance to amend Administrative Code Chapter 12B, Non-discrimination in Contracts and Chapter 12C, Non-discrimination in Property Contracts to include lessors as well as lessees and to amend Police Code Article 33 to prohibit discrimination based on marital status or domestic partner status and to prohibit differing treatment between individuals in relation to their domestic partners and individuals in relation to their spouses.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Rebecca Schwartz (Supervisor Kaufman)  
Wally Rose (Supervisor Bierman)  
Sally Sena (Supervisor Leal)  
Bert Mah (Supervisor Teng)  
Arthur Franklin Sapp (Supervisor Brown)

File 2-96-2

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:29 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 10, 1997

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Tuesday, January 21, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Tuesday, January 21, 1997 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki - 6.

Noted absent at first roll call:

Supervisors Bierman, Brown, Katz, Yee - 4.

Quorum present.

Supervisor Bierman excused. (See infra.)

Supervisor Brown excused. (See infra.)

Supervisor Katz excused. (See infra.)

Supervisor Yee was noted present at 2:04 p.m.

Supervisors Bierman, Brown and Katz Excused

The Clerk stated Supervisors Bierman, Brown and Katz requested to be excused from attending today's meeting.

Supervisor Teng, seconded by Supervisor Ammiano, moved to excuse Supervisors Bierman, Brown and Katz from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki - 6.

Absent: Supervisors Bierman, Brown, Katz, Yee - 4.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Ammiano, moved that the Journals of Proceedings for Tuesday, November 12 and Monday, November 18, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki - 6.

Absent: Supervisors Bierman, Brown, Katz, Yee - 4.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Larry Ackerman, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Larry Ackerman, et al. against the City and County, et al. by payment of \$147,956.00. (City Attorney)

Tuesday, January 21, 1997

File 45-96-105, Ordinance No.

(USDC, Northern District of California No. C95-3883 DLJ.)

Passed for second reading.

Adopted

[Lease, Wilder Street Off-Street Parking]

Resolution authorizing a lease of real property of Lots 26, 27, and 28 in Assessor's Block 6745 (Wilder Street near Diamond Street), for use as an off-street metered parking lot. (Real Estate Department)

File 47-96-13, Resolution No. 61-97

Adopted.

[Settlement of Claim, Golden Eagle Insurance Co.]

Resolution approving the settlement of the unlitigated claim of Golden Eagle Insurance Company by payment of \$8,176.75. (City Attorney)

File 48-96-67, Resolution No. 62-97

Adopted.

[Settlement of Claim, Stephen Young]

Resolution approving the settlement of the unlitigated claim of Stephen Young by payment of \$11,000. (City Attorney)

File 48-96-68, Resolution No. 63-97

Adopted.

[Settlement of Claim, Alexander Laskoff]

Resolution approving the settlement of the unlitigated claim of Alexander Laskoff by payment of \$24,500. (City Attorney)

File 48-96-69, Resolution No. 64-97

Adopted.

[Settlement of Claim, Khalil Benkirane]

Resolution approving the settlement of the unlitigated claim of Khalil Benkirane by payment of \$13,000.00. (City Attorney)

File 48-96-70, Resolution No. 65-97

Adopted.

[Settlement of Claim, Jeanne Davis]

Resolution approving the settlement of the unlitigated claim of Jeanne Davis by payment of \$19,500. (City Attorney)

File 48-96-71, Resolution No. 66-97

Adopted.

[Lease Renewal at 1540 Market Street]

Resolution authorizing retroactively, the lease renewal of office space located at 1540 Market Street, Suite 250, for the Tobacco Free Project, Department of Public Health, commencing November 1, 1996. (Real Estate Department)

File 64-96-23, Resolution No. 67-97

Adopted.

[Lease Agreement, Pier 23 Cafe]

Resolution approving lease agreement with Pier 23 Cafe, a general partnership, and the City and County, operating by and through the Port Commission for a restaurant at Pier 23, Embarcadero and Lombard. (Port Commission)

File 65-96-12, Resolution No. 68-97

Tuesday, January 21, 1997

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(USDC, Northern District of California No. C95-3883 DLJ.)

Passed for second reading.

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Adopted.

[Lease Agreement, Pier 23 Cafe]

Resolution approving lease agreement with Pier 23 Cafe, a general partnership, and the City and County, operating by and through the Port Commission for a restaurant at Pier 23, Embarcadero and Lombard. (Port Commission)

File 65-96-12, Resolution No. 68-97

Adopted.

[State Grant, Childhood Lead Prevention]

Resolution authorizing the Department of Public Health Childhood Lead Prevention Program, to retroactively accept and expend the Medi-Cal allocation of \$275,399 which includes indirect costs in the amount of \$33,610, based on twenty percent of salaries from the Department of Health Services for childhood lead poisoning case management of Medi-cal enrolled or eligible children. (Department of Public Health)

File 146-96-21.1, Resolution No. 72-97

Adopted.

[Grant, Target Cities/SSI Impact Study]

Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to accept and expend retroactively an augmentation to a grant up to the amount of \$437,000 which excludes indirect costs from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs to provide for baseline data collection for the multi-site Target Cities/SSI impact study; waiving indirect costs and providing for action previously taken. (Department of Public Health)

File 146-96-28, Resolution No. 73-97

Adopted.

[Hazardous Materials Emergency Response Equipment]

Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management to retroactively apply for, accept and expend a grant of \$8,500, which includes indirect costs in the amount of \$986, based on 11.6 percent of direct costs, from the California Environmental Protection Agency, Department of Toxics Substances Control, for hazardous materials emergency response equipment. (Department of Public Health)

File 146-96-29, Resolution No. 74-97

Adopted.

[State Grant, Senior Pedestrian Safety Project]

Resolution authorizing the Department of Public Health, Bureau of Health Promotion and Education, to apply for a grant of \$600,000, from the California Office of Traffic Safety, for the Senior Pedestrian Safety Project; waiving indirect costs. (Department of Public Health)

File 146-96-30, Resolution No. 75-97

Adopted.

[Private Grant, Outreach and Follow-Up Services]

Resolution authorizing the Department of Public Health, Community Public Health Services, to apply retroactively for a grant of \$135,000, which includes indirect costs in the amount of \$8,497, based on twenty percent of salaries, from the Wellness Foundation, for outreach and follow-up services to adolescents to prevent unwanted pregnancies; providing for ratification of action previously taken. (Department of Public Health)

File 146-96-31, Resolution No. 76-97

Adopted.

[Private Grant, Community Action Plan]

Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for a grant of \$175,000 from the Wellness Foundation, to develop a community action plan to reduce teen pregnancies. (Department of Public Health)

File 146-96-32, Resolution No. 77-97

Adopted.

[Environmental Enhancement and Mitigation Grant]

Resolution authorizing the Department of Public Works to retroactively apply for, accept, and expend grant funding in the amount of \$21,875 from the California Resources Agency to plant 500 trees within the Bernal Heights Neighborhood, waiving indirect costs. (Department of Public Works)

File 148-96-7, Resolution No. 78-97

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as 'Stop' intersections. (Housing and Land Use Committee)

File 18-96-18, Resolution No. 56-97

(Stop Signs - Establish

18th and Hartford Streets, northeast and southwest corners, stopping 18th Street traffic (makes this an all-way Stop).

Pacific Avenue and Baker Street, northeast and southwest corners, stopping Pacific Avenue traffic (makes this an all-way Stop).

Baker and Washington Streets, northwest and southeast corners, stopping Baker Street traffic (makes this an all-way Stop).

Pacific Avenue and Broderick Street, northwest and southeast corners, stopping Broderick Street traffic (makes this an all-way Stop).

Plymouth Avenue and Wildwood Way, all corners, stopping all approaches (makes this an all-way Stop).

Plymouth Avenue and Montecito Avenue, northwest and southeast corners, stopping Plymouth Avenue traffic (makes this an all-way Stop).

Polk and Hemlock Streets, southwest corner, stopping eastbound Hemlock Street traffic (presently uncontrolled).)

Adopted.

[Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-96-15, Resolution No. 57-97

(No Parking, 6 a.m. - 9 a.m., Monday through Friday, Except Vans With San Francisco Vanpool Permits - Rescind

Folsom Street, south side, between Main and Spear Streets.

1-Hour Parking Time Limit, 7 a.m. - 6 p.m., Except Sunday - Rescind

Division Street, both sides, between Vermont and Henry Adams Streets;

Vermont Street, both sides, between Division and Alameda Streets.

2-Hour Parking Time Limit, 7 a.m. - 6 p.m., Except Sunday - Rescind

Alameda Street, both sides, between Vermont and Henry Adams Streets.

No Parking Anytime - Establish

Lech Walesa Street, north side, from Polk Street to 256 feet westerly (256-foot zone, replaces existing red zone);

Lech Walesa Street, south side, from Polk Street to 217 feet westerly (217-foot zone, replaces existing red zone).

Trainor Street, east side, between 13th and 14th Streets.

Perpendicular (90-Degree Angle) Parking - Establish

Carroll Avenue, north side, between Phelps and Newhall Streets.

Unmetered Motorcycle Parking - Establish

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Taylor Street, west side, from 1.5 feet to 5 feet north of the south property line of Vallejo Street (3.5 foot zone accommodating one motorcycle);

Taylor Street, west side, from 15 feet to 22 feet north of the south property line of Vallejo Street (7-foot zone accommodating two motorcycles).)

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-96-19, Resolution No. 58-97

(Bicycle Lanes - Establish

Polk Street, west side (curb lane), between Market and Hayes Streets.

Multiple Turn Lanes - Rescind

4th Street, southbound, at Townsend Street (single exclusive left turn lane to remain).)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Human Services]

Ordinance appropriating \$53,823, Department of Human Services, (\$18,591 from Federal Revenue and \$35,232 from General Fund Reserve) for salaries, materials and supplies, aid assistance, professional services and services of other departments to support the Welfare Reform Task Force for fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-29, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Yaki, Yee - 6.

Absent: Supervisors Bierman, Brown, Katz, Teng - 4.

[Appropriation, Department of Human Resources]

Ordinance appropriating \$414,553, Department of Human Resources for professional services, other current services, materials and supplies and equipment for labor negotiation costs, for fiscal year 1996-97; placing \$265,450 on reserve. (Controller)

File 101-96-32, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Yaki, Yee - 6.

Absent: Supervisors Bierman, Brown, Katz, Teng - 4.

[Public Health Membership in Organizations]

Ordinance amending the Administrative Code, to authorize the Department of Public Health to join the University Healthsystems Consortium (UHC) and the University Healthsystems Consortium Services Corporation (UHCSC). (Department of Public Health)

File 97-96-62, Ordinance No.

(Amends Section 16.6-10.)

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

[Public Health Access to UHC/UHCS Services]

Ordinance amending the Administrative Code, to authorize the Director of Public Health to access all services provided by the University Healthsystems Consortium (UHC) and the University Healthsystems Consortium Services Corporation (UHCSC) including purchasing supplies and accessing clinical and financial databases; companion measure to File 97-96-62. (Department of Public Health)

File 97-96-63, Ordinance No.

(Adds Section 19A.36.)

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

Adopted

[Airport - International Services Division]

Resolution authorizing the Airport's International Services Division to exercise the powers necessary to allow the Division to promote and market the services of Airport staff to the public and private sectors. (Supervisor Kaufman)

File 27-96-17, Resolution No. 59-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

[Geary Courtyard Revenue Bonds]

Resolution approving the reissuance of not to exceed \$18,000,000 aggregate principal amount of City and County of San Francisco Multi-Family Housing Revenue Bonds, 1988 Issue B; approving the amended and restated Lender Loan Agreement and Indenture of Trust; approving the amended and restated loan agreement; approving the first amendment to Regulatory Agreement and Declaration of Restrictive Covenants; approving the form of an amended and restated bond; ratifying previous actions; and authorizing the execution and delivery of documents and instruments. (Mayor's Office of Housing)

File 170-96-9, Resolution No. 54-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

From Budget Committee with Recommendation "Do Submit"

Consideration Continued as Amended

[General Obligation Bonds, Cultural Facilities]

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of community cultural facilities which include such facilities as the Mission Cultural Center, Bayview Opera House, Center for African and African-American

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Art and Culture, South of Market Cultural Center, Art Commission Gallery, Gay/Lesbian Cultural Center, Native American Cultural Center and the Center for Asian American Arts and Culture, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of ((\$45,000,000)) \$49,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Kaufman, Bierman)

File 170-96-11, Resolution No.

(Fiscal Impact.)

Supervisor Teng, seconded by Supervisor Ammiano, moved an amendment of the whole entitled, "Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of community cultural facilities which include such facilities as the Center for Asian American Arts and Culture, the Mission Cultural Center, Bayview Opera House, Center for African and African-American Art and Culture, South of Market Cultural Center, Art Commission Gallery, Gay/Lesbian Cultural Center, and Native American Cultural Center and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$49,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

Supervisor Teng, seconded by Supervisor Ammiano, moved to continue consideration as amended, to public hearing February 3, 1997 at 3:00 p.m.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

Request Granted

At the request of Supervisor Teng, the Clerk was directed to refer the above amended resolution to the Capital Improvement Advisory Committee.

No objection and Clerk directed to comply.

Consideration Continued

[General Obligation Bonds, Zoo]

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of San Francisco Zoo facilities and properties and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$48,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Yaki, Kaufman, Bierman, Teng)

File 170-96-13, Resolution No.

(Fiscal Impact.)

Supervisor Teng, seconded by Supervisor Ammiano, moved to continue consideration to February 3, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.



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Recommendations of Budget and Housing and Land Use Committee

Adopted

[Major Encroachment Permit, Metricom, Inc.]

Resolution granting major encroachment permit to Metricom, Inc., to mount 500 wireless radio repeater devices on City-owned light poles for a term of 24 months and adopting findings pursuant to Section 101.1 of the Planning Code. (Planning Department)

File 10-96-10, Resolution No. 55-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

Recommendations of Rules Committee

Adopted

[Appointment, ABAG Executive Board]

Resolution appointing two alternate representatives to the Association of Bay Area Governments, Executive Board, for the unexpired terms ending June 30, 1997. (Rules Committee)

File 92-96-63, Resolution No. 69-97

(Supervisor Leslie Katz, Seat 10303, alternate position, vice Supervisor Tom Ammiano, resigned; Supervisor Amos Brown, Seat 10304, alternate position, vice Supervisor Barbara Kaufman, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

[Final Tentative MOUs and Arbitration Awards]

Resolution requiring submission of final tentative memoranda of understanding and final arbitration awards issued pursuant to Charter Sections 8.409 et seq. to the Clerk of the Board on specific dates and providing that full documentation supporting the item be placed in the Board file at the same time. (Supervisor Kaufman)

File 93-97-1, Resolution No. 91-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

Consideration Continued

[Cable TV Franchise Confidential Communications]

Motion waiving the Attorney-Client privilege regarding the two cable television franchise confidential communications from the City Attorney's Office for which the Board of Supervisors holds the attorney-client privilege, and directing the clerk to place these documents in Board File No. 32-96-1.4. (Supervisors Ammiano, Katz, Yaki)

File 32-96-1.7

Supervisor Leal, seconded by Supervisor Yaki, moved to continue consideration to February 3, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

Recommendations of Government Efficiency and Labor Committee

Tuesday, January 21, 1997

Passed for Second Reading

[Grievance Settlement, Local 535]

Ordinance authorizing settlement of the grievance filed by SEIU, Local 535 pursuant to the Memorandum of Understanding on behalf of Preston Gilmore against the Department of Human Services in the total amount of Sixty-Eight Thousand Two Hundred Twenty Eight Dollars and Forty Nine Cents (\$68,228.49). (City Attorney)

File 93-96-34, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

[MOU, Airport Police, Bargaining Unit 148]

Ordinance implementing the provisions of the Memorandum of Understanding between the Airport Police Officers Association and the City and County for Bargaining Unit 148, to be effective July 1, 1995 through June 30, 1997. (Department of Human Resources)

File 93-96-35, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

[MOU, Airport Police, Bargaining Unit 15B]

Ordinance implementing the provisions of the Memorandum of Understanding between the Airport Police Officers Association and the City and County for Bargaining Unit 15B, to be effective July 1, 1995 through June 30, 1997. (Department of Human Resources)

File 93-96-36, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

Adopted

[Right of Way Cooperative Agreement]

Resolution approving a Right of Way Cooperative Agreement between the Airport Commission and CalTrans and authorizing the Director of Property and Airport Director to execute documents to complete the property exchange. (Real Estate Department)

File 27-96-15, Resolution No. 59-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

[Tolling Agreement]

Resolution approving an agreement (555 California Street Partners and the City and County) to suspend the statute of limitations governing time to bring case to trial. (City Attorney)

File 172-96-46, Resolution No. 79-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

Recommendations of Housing and Land Use Committee

Tuesday, January 21, 1997

Passed for Second Reading

[Changing Width of Sidewalk, Corbett Avenue]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks: by adding thereto Section 1534 changing the official width on a portion of the southwesterly side of Corbett Avenue southeasterly of Iron Alley, as shown on Department of Public Works drawing labeled Q-20-461 and making findings pursuant to Planning Code Section 101.1. (Supervisors Teng, Bierman, Brown)

File 34-96-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

Adopted

[Accepting Dedication of Street/Utility Easement]

Motion accepting on behalf of the public and the City and County of San Francisco the dedication of that certain street (500 Corbett Street, Assessor's Block 2718, Lot 2) and utility easement, attached hereto as Exhibit "2", and adopting findings of conformity to the General Plan of the City and County; companion measure to File 34-96-14. (Supervisors Teng, Bierman, Brown)

File 35-96-1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

[General Advertising Signs, The Embarcadero]

Resolution approving amendments to the San Francisco General Plan to allow general advertising signs on transit boarding platforms and transit shelters in the areas subject to the Northeastern Waterfront Plan and Mission Bay Plan, and on public service kiosks in the area subject to the Northeastern Waterfront Plan. (Planning Department)

File 271-96-4, Resolution No. 82-97

(Planning Commission Resolution 14240 recommending approval of the General Plan amendments, adopted November 21, 1996.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

[Negative Declaration - Transit Advertising Signs]

Resolution adopting Negative Declaration, finding and determining that the transit general advertising signs along the Embarcadero, on Jefferson, Jones and Beach Streets, and on King Street between the Embarcadero and Sixth Street will have no significant impact on the environment; and adopting and incorporating findings of Final Negative Declaration. (Planning Department)

File 115-96-8.2, Resolution No. 70-97

(Final Negative Declaration adopted and issued September 9, 1996.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

Passed for Second Reading

[Transit Shelter Advertising]

Ordinance amending Planning Code, to permit transit shelter advertising on median public transit boarding platforms on the Embarcadero, and adopting findings pursuant to City Planning Code Section 101.1; companion measure to Files 271-96-4, 115-96-8.2. (Supervisors Yaki, Bierman, Leal)

File 115-96-8, Ordinance No.

Tuesday, January 21, 1997

(Amends Section 603.)

(Planning Commission Resolution 14241, recommend that Ordinance File 115-96-8 be substituted with revised version, Case No. 96.410T, adopted November 21, 1996; Resolution 14242, finding of consistency with the General Plan, adopted November 21, 1996.)

(January 6, 1997 - Substitute ordinance as recommended by Planning Commission referred to Committee.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

**Adopted**

[Liquor License Transfer, 673 Commercial Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage license to Wen Juan Liu from 754 Kirkham Street to 673 Commercial Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-35, Resolution No. 80-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

[Liquor License, 213 Sutter Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Nassir Zughayer for Sammy's Smokes and Snacks located at 213 Sutter Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-36, Resolution No. 81-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

**Recess**

The Board, at the hour of 2:55 p.m., took a brief recess.

**Reconvening of the Board**

The Board, at the hour of 3:03 p.m., reconvened.

**Calling the Roll**

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Kaufman, Medina, Teng, Yaki, Yee - 6.

Noted absent:

Supervisors Bierman, Brown, Katz, Leal - 4.

Quorum present.

Supervisor Bierman excused. (See supra.)

Supervisor Brown excused. (See supra.)

Supervisor Katz excused. (See supra.)

Supervisor Leal was noted present at 3:05 p.m.

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SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of persons interested in or objecting to decision of Planning Commission by its Motion No. 14245, dated November 21, 1996, approving Conditional Use Application No. 96.453C, for conditional use authorization to install a total of six antennas on the roof and a base transceiver station in the garage of an existing four-story mixed use (residential/commercial) building in an NC-2 (Small Scale Neighborhood Commercial) District and a 65-A Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 1515 Taraval Street, south side between 25th and 26th Avenues; Lot 50 in Assessor's Block 2400.

File 37-97-1

(Appeal filed December 23, 1996.)

The Clerk announced he is in receipt of communication from the attorney representing the appellant requesting this matter be continued until a full Board is present.

Supervisor Medina, seconded by Supervisor Yaki, moved to continue consideration to February 3, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Medina, Teng, Yaki, Yee - 6.

Absent: Supervisors Bierman, Brown, Katz, Leal - 4.

(Only one of the following two motions should be adopted.)

Consideration Continued

[Zoning Appeal]

Motion approving decision of the Planning Commission by its Motion No. 14245, approving Conditional Use Application No. 96.453C, on property located at 1515 Taraval Street, and adopting findings pursuant to Planning Code Section 101.1.

File 37-97-1.1

Supervisor Medina, seconded by Supervisor Yaki, moved to continue consideration to February 3, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Medina, Teng, Yaki, Yee - 6.

Absent: Supervisors Bierman, Brown, Katz, Leal - 4.

[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 14245, approving Conditional Use Application No. 96.453C, on property located at 1515 Taraval Street.

File 37-97-1.2

Supervisor Medina, seconded by Supervisor Yaki, moved to continue consideration to February 3, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Medina, Teng, Yaki, Yee - 6.

Absent: Supervisors Bierman, Brown, Katz, Leal - 4.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 96.453C on property located at 1515 Taraval Street, for action by the Board at its next meeting.

File 37-97-1.3

Supervisor Medina, seconded by Supervisor Yaki, moved to continue consideration to February 3, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Medina, Teng, Yaki, Yee - 6.

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Absent: Supervisors Bierman, Brown, Katz, Leal - 4.

SPECIAL ORDER - 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(A court reporter was present.)

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the proposed amendment to the Redevelopment Plan for the Yerba Buena Center Approved Redevelopment Project Area D-1 which would modify the land use designation for certain property within the Project Area to add residential use as an authorized use and to increase the permitted residential density and proposed resolution approving addendum to the Yerba Buena Center final Environmental Impact Report. (Clerk of the Board)

File 91-97-1

Prior to taking public testimony, Redevelopment Agency staff presentation was received, the Board of Supervisors accepted the written report of the agency and the President indicated communication was received from Museum Parc supporting the proposed amendment.

The privilege of the floor was granted to the following persons:

Mark Goldberg, Steven Taber, Monsignor Fred Bitanga, Anita Hill.

Committee of the Whole Rise and Report Without Recommendation

Adopted

[Yerba Buena Center]

Resolution approving Addendum No. 3 to the Yerba Buena Center final subsequent Environmental Impact Report in connection with the proposed amendment to the Redevelopment Plan for Yerba Buena Center Redevelopment Project Area and finding that no further environmental document is required. (Supervisor Yaki)

File 91-97-1.1, Resolution No. 90-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

Passed for Second Reading

[Amendment to Yerba Buena Redevelopment Plan]

Ordinance amending Ordinance No. 98-66, as amended by Ordinance Nos. 201-71, 393-73, 386-76, 367-77, 420-79, 538-81, 477-86 and 404-94, approving and adopting an amendment to the Redevelopment Plan for the Yerba Buena Center Redevelopment Project Area, which amendment modifies the land use designation for certain property within the project area (east block 1) to add residential land use as a permitted use and to increase the permitted residential density on that property. (Supervisor Yaki)

File 91-97-1.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

SPECIAL ORDER - 3:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to proposed bond measure for construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of educational facilities used or to be used by the San Francisco Unified School District or the City College of San Francisco and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$140,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness.

File 170-96-12.1

Speaking in favor: Del M. Anderson, Lawrence Wong, Bill Rojas, Liana Szeto, Lawrence Mock, Laureen Chew, Erika Delaiorte, Spencer Chase, Lena Fong, Laura Chinn-Smoot, Jannze Cheng-Wi, Lisa Kaborycha, Dan Boone, Barry Wong, Adrienne Dair, Annie Haggenmiller, Jan Potter, Ernest Ross Beard, James Monroe, Peter Schumacher, Mel Lichtman, John Driscoll, Mike Zelinsky, Ken Eggers, Vincent Chow, Susan Chen, Michael K. Wong, Judith May, Sherman Tam, Julie Anderson, Joan Kubota.

Committee of the Whole Rise and Report Without Recommendation

Consideration Continued

[General Obligation Bonds, Educational Facilities]

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of educational facilities used or to be used by the San Francisco Unified School District or the City College of San Francisco and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$140,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Teng, Ammiano)

File 170-96-12.1, Resolution No.

Supervisor Teng, seconded by Supervisor Ammiano, moved to continue consideration to February 3, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

In connection with the above item, Supervisors Teng, Ammiano, requested to be added as co-sponsors.

From Budget Committee with Recommendation "Do Submit"

Tabled

[General Obligation Bonds, Educational Facilities]

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of educational facilities used or to be used by the San Francisco Unified School District or the City College of San Francisco and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$130,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Teng, Katz, Bierman)

File 170-96-12, Resolution No.

(Fiscal Impact.)

Supervisor Teng, seconded by Supervisor Ammiano, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Brown, Katz - 3.

PUBLIC COMMENT

The President inquired if there were any one present who wished to address the Board.

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There being no response, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Extend Time, Planning Commission Actions]

Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinances to amend the Planning Code with respect to Neighborhood Commercial Advisory Councils, Neighborhood Commercial District Pre-application Signposting, and Union Street Design Guidelines. (Supervisor Kaufman)

File 115-96-11.1, Resolution No. 71-97

(January 13, 1997 - Introduced in Board for consideration on January 21, 1997.)

Adopted.

[Commend John C. Frantz]

Resolution recognizing John C. Frantz's accomplishments as San Francisco's first Executive Director of Museum; and also his accomplishments as the City Librarian for the City and County of San Francisco. (Supervisors Ammiano, Bierman, Leal)

File 6-97-6, Resolution No. 83-97

(January 13, 1997 - Introduced in Board for consideration on January 21, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Commend The Women's Philharmonic]

Resolution commending The Women's Philharmonic on the occasion of the opening night of its 15th anniversary season and proclaiming January 25, 1997 as Women's Philharmonic Day in the City and County. (Supervisors Leal, Kaufman, Bierman)

File 6-97-7, Resolution No. 84-97

(January 13, 1997 - Introduced in Board for consideration on January 21, 1997.)

Adopted.

[Commend "The Living Brush" Exhibition]

Resolution commending "The Living Brush: Four Contemporary Chinese Master Calligraphers" and declaring February 12, 1997 as "Chinese Calligraphy Day" in San Francisco. (Supervisors Teng, Bierman, Leal)

File 6-97-8, Resolution No. 85-97

(January 13, 1997 - Introduced in Board for consideration on January 21, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Commend John E. Newlin]

Resolution commending John E. Newlin for his years of distinguished service as Executive Director of the Department of Parking and Traffic and for his many contributions to the City and County. (Supervisors Kaufman, Ammiano, Yaki, Bierman, Katz, Brown, Yee, Leal)

File 6-97-9, Resolution No. 86-97

(January 13, 1997 - Introduced in Board for consideration on January 21, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.



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[CIA/Contra Drug Trade Investigations]

Resolution endorsing the efforts of Maxine Waters and the Congressional Black Caucus in their attempts to ensure full scale investigations and congressional hearings to respond to the public's concern relative to the Central Intelligence/Contra Drug Trade. (Supervisors Ammiano, Brown, Bierman)

File 13-97-1, Resolution No. 87-97

(January 13, 1997 - Introduced in Board for consideration on January 21, 1997.)

Adopted.

[Policy, Front License Plates]

Resolution establishing the policy of the City and County to ticket all automobiles that do not have front license plates, urging the Police Commission to continue increased enforcement against motorists without front license plates affixed to their cars and urging the Parking and Traffic Commission to begin increased enforcement against parked cars without front license plates. (Supervisor Leal)

File 43-97-1, Resolution No. 89-97

(January 13, 1997 - Introduced in Board for consideration on January 21, 1997.)

Adopted.

[Jim Augustino Fishing Pier]

Resolution requesting the Port Commission to designate Pier 7 public access and fishing pier as the James Augustino Fishing Pier (Augie Pier). (Supervisors Yaki, Kaufman, Bierman, Leal)

File 173-97-1, Resolution No. 92-97

(January 13, 1997 - Introduced in Board for consideration on January 21, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-97-1

(January 13, 1997 - Introduced in Board for consideration on January 21, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Medina, Teng, Yaki, Yee - 6.

Absent: Supervisors Bierman, Brown, Katz, Leal - 4.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Serious Injury Finding]

Motion that the Board find by roll call vote for the resolution(s) being considered at this time 'the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting.

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

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Ayes: Supervisors Ammiano, Kaufman, Medina, Teng, Yaki, Yee - 6.

Absent: Supervisors Bierman, Brown, Katz, Leal - 4.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Medina, Teng, Yaki, Yee - 6.

Absent: Supervisors Bierman, Brown, Katz, Leal - 4.

[Imperative Resolution]

Adopted

[Emergency Repair, Edgehill Way Earth Movement]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to mitigate unstable conditions on the roadway to the utilities on the affected portion of Edgehill Way and further authorizing the Director of Public Works to hold contractors harmless from any related claims.

File 028-97-001.01, Resolution No. 88-97

Supervisor Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Medina, Teng, Yaki, Yee - 6.

Absent: Supervisors Bierman, Brown, Katz, Leal - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Open Space, Bayview Hill]

Ordinance authorizing purchase of a portion of Assessor's Block 4991, Lots 29, 31, 32, 33, 34, 38 and 44 consisting of 15.884 acres on Bayview Hill for open space for \$2,600,000. Supervisor Bierman presented. Referred to Finance Committee.

File 084-97-001.01.

[Credit, Debit, ATM Cards]

Ordinance amending Administrative Code Sections 10.11 through 10.11-4 by incorporating these sections under 10.11 and deleting the section numbers 10.11-1 through 10.11-4, by adding definition for credit card, debit card and ATM card, by authorizing the Treasurer/Tax Collector of the City and County to accept credit cards, debit cards and ATM cards for the payment of taxes and other related fees and charges. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the February 5, 1997 meeting.

File 097-97-005.

[Union Square Signage]

Ordinance amending Planning Code Sections 607 and 608.2 to prohibit within 200 feet of the park known as Union Square and facing said park all general advertising signs except for certain replacement signs, general advertising signs that move or rotate or have otherwise physically animated parts, and general advertising signs that are internally lighted or backlighted; to delete the special exceptions from the roof sign and height limitations for general advertising signs within 200 feet of said park; adopting findings pursuant to Section 101.1 of the Planning Code. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 115-97-001.

[Restaurants on Second Floor]

Ordinance amending Planning Code by adding a special provision to Section 722.42 and amending the associated chart set forth in Section 722 to allow full-service restaurants on the second floor of buildings in the North Beach Neighborhood Commercial District as a conditional use under certain specified circumstances; adopting findings pursuant to Section 101.1. Supervisor Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-002.

Referred to Board

[John Langley Howard Day]

Resolution congratulating John Langley Howard on the achievement of his ninety-fifth birthday and declaring February 5, 1997 to be "John Langley Howard Day" in the City and County of San Francisco. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar January 27, 1997.

File 004-97-002.

[Commend Tung Hwa Benevolent Association]

Resolution commending Tung Hwa Benevolent Association and declaring February 1, 1997 as "Tung Hwa Benevolent Association Day" in San Francisco. Supervisors Teng, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar January 27, 1997.

File 006-97-010.

[Commend Hop Wo Benevolent Association]

Resolution commending Hop Wo Benevolent Association and declaring February 1, 1997 as "Hop Wo Benevolent Association Day" in San Francisco. Supervisors Teng, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar January 27, 1997.

File 006-97-011.

[Supporting AB 12, AB 34 and AB 38]

Resolution supporting AB 12, AB 34 and AB 38 which provide certain standards for health care for women. Supervisors Kaufman, Leal, Katz, Bierman, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar January 27, 1997.

File 012-97-002.

[Expert Witness Disclosure]

Resolution supporting State legislation that would require any expert without exception that potentially may be used by either party in civil litigation to provide a declaration of qualifications and opinions as a witness, and directing the Clerk to transmit the resolution to the Mayor and the City's lobbyist. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 27, 1997.

File 012-97-003.

[HOPWA Program]

Resolution respectfully requesting the Office of Management and Budget to reconsider its decision not to adequately fund the housing opportunities for people with AIDS (HOPWA) program, and to grant the increase in funding as requested by Secretary Cisneros at the U.S. Department of Housing and Urban Development (HUD), from \$196 million to \$215 million to address the substantial unmet need of affordable housing and supported housing and to fund newly eligible areas. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar January 27, 1997.

File 013-97-002.

Referred to Committee

[Paramedic Function Transfer]

Resolution supporting a transfer of paramedic function from the Health Department to the Fire Department. Supervisor Kaufman presented. Referred to Finance Committee.

File 030-97-003.

[Bayview Hill Open Space]

Resolution finding that purchase of 15.884 acres on Bayview Hill for open space is categorically exempt from environmental review and in conformity with the Master Plan (Assessor's Block 4991, Lots 29, 31, 32, 33, 34, 38 and 44). Supervisor Bierman presented. Referred to Finance Committee.

File 084-97-001.

[Edgehill Mountain Slope Hazard Area]

Resolution creating the Edgehill Mountain Slope Hazard Area, which is generally bounded by Garcia Avenue, Vasquez Avenue, Kensington Way and Ulloa Street and traversed by Edgehill Way; imposing Interim Zoning Controls to temporarily prohibit the approval of permits or other land use entitlements, subject to specific exemptions, for property in the Edgehill Mountain Slope Hazard Area for a four (4) month period; requesting various City departments to present recommendations to the Board concerning regulatory mechanisms for resolving slope stability and other engineering issues in the Edgehill Mountain Slope Hazard Area; and making a finding of consistency with the priority policies of the Planning Code. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 111-97-001.

Referred to Board

[Cultural Facilities Bond Time Limit Waiver]

Resolution waiving the time limit for adopting a resolution of public interest and necessity in connection with submitting a June 1997 ballot measure for approval of \$49,000,000 in general obligation bonds for cultural facilities; establishing a new deadline date of February 3, 1997. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 27, 1997.

File 170-96-011.01.

[Education Bond Time Limit Waiver]

Resolution waiving the time limit for adopting a resolution of public interest and necessity in connection with submitting a June 1997 ballot measure for approval of \$140,000,000 in general obligation bonds for education facilities; establishing a new deadline date of February 3, 1997. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 27, 1997.

File 170-96-012.02.

[Zoo Bond Time Limit Waiver]

Resolution waiving the time limit for adopting a resolution of public interest and necessity in connection with submitting a June 1997 ballot measure for approval of \$48,000,000 in general obligation bonds for zoo improvements; establishing a new deadline date of February 3, 1997. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 27, 1997.

File 170-96-013.01.

Referred to Committee

[Bay Area Ridge Trail]

Resolution requesting the Public Utilities Commission to adopt a plan for multi-use access to the route based on the Bay Area Ridge Trail Council's access plan, in conjunction with the National Park Service (NPS) and San Mateo County Parks and Recreation. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 191-97-001.

[Bond Measures Employment Program]

Resolution expressing the desire of the Board of Supervisors to develop an employment program to further the employment of San Francisco residents, especially underemployed and unemployed residents, in conjunction with the construction projects that would be financed by proposed cultural facilities bonds, zoo bonds and educational facilities bonds, should the voters approve the issuance of these bonds at the June 3, 1997 election. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 219-97-001.

Requests for Hearings:

[Municipal Railway Service]

Hearing to review Municipal Railway service, including but not limited to, on-time performance, scheduling, maintenance, passenger satisfaction, safety and consideration of activities with the Department of Parking and Traffic. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 007-97-001.

[TCI Channel Line Up]

Hearing to consider proposed changes to TCI channel line up in San Francisco and to allow public comment on the proposal to drop VH1, E!, Comedy Central and Lifetime and/or other channel preferences. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 032-97-001.

Motions:

Referred to Board

[December Winter Storm Emergency, 1996]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 27, 1997.

File 270-97-001.01.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-001. [Connor v. CCSF et al.] Ordinance authorizing settlement of the litigation of Connor v. City and County of San Francisco, et al., whereby City vacates portion of public street, accepts quitclaim deed from plaintiff and City grants easement to plaintiff; companion measure to File 164-97-1. (Superior Court No. 971-879). (Real Estate Department) Referred to Government Efficiency & Labor Committee/ Rules Committee.

File 045-97-002. [Deedra Robinson v. CCSF et al.] Ordinance authorizing settlement of litigation of Deedra Robinson against the City and County of San Francisco by payment of \$9,000. (Municipal Court No. 123-430). (City Attorney) Referred to Government Efficiency/Labor Committee/Rules Committee.

File 045-97-003. [Frederic N. Fremy v. CCSF et al.] Ordinance authorizing settlement of litigation of Frederic N. Fremy against the City and County of San Francisco by payment of \$15,000. (Superior Court No. 973-839). (City Attorney) Referred to Government Efficiency/Labor Committee/ Rules Committee.

File 045-97-004. [Don Alan v. CCSF] Ordinance authorizing settlement of litigation of Don Alan v. City and County of San Francisco by payment of \$70,000. (Superior Court No. 977-113) (City Attorney) Referred to Government Efficiency/Labor Committee/Rules Committee

File 093-97-002. [Grievance Settlement Authority] Ordinance authorizing the Human Resources Director to settle grievances filed pursuant to valid Memoranda of Understanding in amounts not to exceed \$50,000 with approval of the City Attorney and certification of funds by the Controller and authorizing appointing officers to settle grievances filed pursuant to valid Memoranda of Understanding in amounts not to exceed 45 days of pay subject to the procedures of the Department of Human Resources, approval of the City Attorney and certification of funds by the Controller. (Department of Human Resources) Referred to Government Efficiency & Labor Committee/Finance Committee.

File 101-96-036. [Appropriation, Public Defender] Ordinance appropriating \$123,124, Public Defender, from General Fund Reserve to cover fiscal year 1996-97 rental increase and telephone services. RO #96173. (Controller) Referred to Budget Committee/Finance Committee.

File 101-96-037. [Appropriation, Fire Department] Ordinance rescinding and appropriating \$110,675, Fire Department, of a Fire Protection Bond capital project for the AWSS system to a capital project for the Hazard Mitigation grant for fiscal year 1996-97. RO #96178. (Controller) Referred to Budget Committee/Finance Committee.

File 101-96-038. [Appropriation, Medical Examiner/Coroner] Ordinance appropriating \$90,732, Medical Examiner/Coroner, from the General Fund Reserve to purchase equipment for fiscal year 1996-97. RO #96179. (Controller) Referred to Budget Committee/Finance Committee.

File 101-96-039. [Appropriation, DPH-Mental Health] Ordinance appropriating \$100,000, Department of Health-Mental Health, of State Revenue to salaries, fringe benefits, travel, training, professional services, other current services, materials and supplies and equipment for the creation one (1) position for a suicide prevention program for fiscal year 1996-97. RO #96181. (Controller) Referred to Budget Committee/Finance Committee.

File 101-96-040. [Appropriation, Art Commission] Ordinance appropriating \$13,000, Art Commission, from the General Reserve to facilities maintenance to restore a sculpture at St. Mary's Square in fiscal year 1996-97. RO #96190. (Controller) Referred to Budget Committee/Finance Committee.

File 101-96-041. [Appropriation, Department of Telecommunications] Ordinance appropriating \$17,680,000, Department of Telecommunications, of Lease Revenue Bond proceeds for the construction of a Combined Emergency Communications Center (CECC), and to provide the Department of Administrative Services, City Attorney, and Controller with costs of issuance for fiscal year 1996-97; placing the funds on reserve. RO #96196. (Controller) Referred to Budget Committee/Finance Committee.

File 127-97-001. [Emergency Response Fee Amendments] Ordinance amending Municipal Code, Part III, Sections 751, 752, and 756 to increase the estimate of total project costs from \$57,851,000 to \$67,153,821 and to increase the cap on project costs eligible to be paid from emergency response revenues from \$49 million to \$60 million. (City Attorney) Referred to Budget Committee/Finance Committee.

File 164-97-001. [Summary Street Vacation, Hickory street] Ordinance ordering summary street vacation of portions of Hickory Street located between Webster and Buchanan Streets; companion measure to File 45-97-1. (Real Estate Department) Referred to Government Efficiency & Labor Committee/Rules Committee.

#### Resolutions Referred to Committee

File 028-97-001. [Emergency Repair, Edgehill Way Earth Movement] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to mitigate unstable conditions on the roadway and to the utilities on the affected portion of Edgehill Way and further authorizing the Director of Public Works to hold contractors harmless from any related claims. (Department of Public Works) Referred to Budget Committee/Finance Committee.

File 048-97-001. [Settlement of Claim, CSAA/Tom Johnson] Resolution approving the settlement of the unlitigated claim of CSAA/Tom Johnson by payment of \$9,950.00. (City Attorney) Referred to Government Efficiency/Labor Committee/ Rules Committee.

File 048-97-002. [Claim, Delfin Bermejo/Farmers Insurance Group] Resolution approving the settlement of the unlitigated claim of Delfin Bermejo/Farmers Insurance Group by payment of \$7,456.53. (City Attorney) Referred to Government Efficiency/Labor Committee/ Rules Committee.

File 048-97-003. [Claim, East Bay Regional Park District] Resolution approving the settlement of the unlitigated claim of East Bay Regional Park District by payment of \$23,005.19. (City Attorney) Referred to Government Efficiency/Labor Committee/Rules Committee.

File 048-97-004. [Settlement of Claim, Kjell Hallum] Resolution approving the settlement of the unlitigated claim of Kjell Hallum by payment of \$13,500.00. (City Attorney) Referred to Government Efficiency/Labor Committee/Rules Committee.

File 078-97-001. [Health Service System Contributions] Resolution establishing the contribution to be made to the Health Service System by City and County, Unified School District and Community College District for fiscal year 1997-98. (Department of Human Resources Health Service System) Referred to Budget Committee/Finance Committee.

File 089-97-001. [SDI Coverage, Classification 1683] Resolution authorizing enrollment of classification(s) 1683 Budget and Fiscal Operations Manager in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee/Finance Committee.

File 153-97-001. [Grant, Supportive Services for Homeless Families] Resolution authorizing the Department of Human Services to retroactively accept and expend a federal grant in the amount of \$113,616 from the U.S. Department of Housing and Urban Development for the period of September 1, 1996 through June 30, 1997, to fund six Americorps participants to provide supportive services for homeless families and their children; and waiving indirect cost. (See File 153-95-1) (Department of Human Services) Referred to Government Efficiency/Labor Committee/ Housing/Neighborhood Services.

File 187-97-001. [Trial Court Funding, 1997-1998] Resolution electing to become subject to the provisions of the State Trial Court Funding Program for the period of July 1, 1997 through June 30, 1998. (Controller) Referred to Budget Committee/Finance Committee.

File 190-97-002. [Bicycle Plan] Resolution adopting the San Francisco Bicycle Plan. (Department of Parking and Traffic) Referred to Housing and Land Use Committee/Economic Development, Transportation and Technology Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kaufman, that letter be sent to Department of Parking and Traffic inquiring about the feasibility, cost and potential positive impact on safety by placement of signs that say "four-way stop" below Stop signs at four-way intersections in the City.

Tuesday, January 21, 1997

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Stanley Wong (Supervisor Medina)  
Curt Flood (Supervisor Medina)  
Helen Hale Smith (By the entire Board)

File 2-96-3

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:52 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 24, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors





Monday, January 27, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 27, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Barbara Kaufman, the meeting was called to order at 2:00 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Yaki, Yee - 7.

Noted absent at first roll call:

Supervisors Kaufman, Leal, Teng - 3.

Quorum present.

Supervisor Kaufman excused. (See infra.)

Supervisor Leal excused. (See infra.)

Supervisor Teng noted present at 2:02 p.m.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Bierman, seconded by Supervisor Yee, moved that Supervisor Medina be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

Supervisors Kaufman, Leal Excused

The Clerk stated Supervisors Kaufman and Leal requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Katz, moved to excuse Supervisors Kaufman and Leal from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Human Services]  
Ordinance appropriating \$53,823, Department of Human Services, (\$18,591 from Federal Revenue and \$35,232 from General Fund Reserve) for salaries, materials and supplies, aid assistance, professional services and services of other departments to support the Welfare Reform Task Force for fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-29, Ordinance No. 30-97

Monday, January 27, 1997

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Human Resources]

Ordinance appropriating \$414,553, Department of Human Resources for professional services, other current services, materials and supplies and equipment for labor negotiation costs, for fiscal year 1996-97; placing \$265,450 on reserve. (Controller)

File 101-96-32, Ordinance No. 31-97

(Fiscal Impact.)

Finally passed.

[Public Health Membership in Organizations]

Ordinance amending the Administrative Code, to authorize the Department of Public Health to join the University Healthsystems Consortium (UHC) and the University Healthsystems Consortium Services Corporation (UHCSC). (Department of Public Health)

File 97-96-62, Ordinance No. 28-97

(Amends Section 16.6-10.)

(Fiscal Impact.)

Finally passed.

[Public Health Access to UHC/UHCS Services]

Ordinance amending the Administrative Code, to authorize the Director of Public Health to access all services provided by the University Healthsystems Consortium (UHC) and the University Healthsystems Consortium Services Corporation (UHCSC) including purchasing supplies and accessing clinical and financial databases; companion measure to File 97-96-62. (Department of Public Health)

File 97-96-63, Ordinance No. 29-97

(Adds Section 19A.36.)

(Fiscal Impact.)

Finally passed.

Passed for Second Reading

[Appropriation, Mayor's Office]

Ordinance appropriating \$60,145, Mayor's Office, from General Fund Reserve for bilingual domestic violence to allow the Mayor's Office to contract with the Asian Women's Shelter for fiscal year 1996-97. (Controller)

File 101-96-34, Ordinance No.

Passed for second reading.

[Appropriation, Mayor's Office of Community Dev.]

Ordinance appropriating \$187,936, Mayor's Office of Community Development, to continue contracts for dispute resolution services in fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-35, Ordinance No.

Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Larry Ackerman, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Larry Ackerman, et al. against the City and County, et al. by payment of \$147,956.00. (City Attorney)

File 45-96-105, Ordinance No. 24-97

Monday, January 27, 1997

(USDC, Northern District of California No. C95-3883 DLJ.)

Finally passed.

[Grievance Settlement, Local 535]

Ordinance authorizing settlement of the grievance filed by SEIU, Local 535 pursuant to the Memorandum of Understanding on behalf of Preston Gilmore against the Department of Human Services in the total amount of Sixty-Eight Thousand Two Hundred Twenty Eight Dollars and Forty Nine Cents (\$68,228.49). (City Attorney)

File 93-96-34, Ordinance No. 25-97

Finally passed.

[MOU, Airport Police, Bargaining Unit 148]

Ordinance implementing the provisions of the Memorandum of Understanding between the Airport Police Officers Association and the City and County for Bargaining Unit 148, to be effective July 1, 1995 through June 30, 1997. (Department of Human Resources)

File 93-96-35, Ordinance No. 26-97

Finally passed.

[MOU, Airport Police, Bargaining Unit 158]

Ordinance implementing the provisions of the Memorandum of Understanding between the Airport Police Officers Association and the City and County for Bargaining Unit 158, to be effective July 1, 1995 through June 30, 1997. (Department of Human Resources)

File 93-96-36, Ordinance No. 27-97

Finally passed.

#### Recommendations of Housing and Land Use Committee

##### Finally Passed

[Changing Width of Sidewalk, Corbett Avenue]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks: by adding thereto Section 1534 changing the official width on a portion of the southwesterly side of Corbett Avenue southeasterly of Iron Alley, as shown on Department of Public Works drawing labeled Q-20-461 and making findings pursuant to Planning Code Section 101.1. (Supervisors Teng, Bierman, Brown)

File 34-96-14, Ordinance No. 23-97

Finally passed.

[Transit Shelter Advertising]

Ordinance amending Planning Code, to permit transit shelter advertising on median public transit boarding platforms on The Embarcadero, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Yaki, Bierman, Leal)

File 115-96-8, Ordinance No. 32-97

(Amends Section 603.)

(Planning Commission Resolution 14241, recommend that Ordinance File 115-96-8 be substituted with revised version, Case No. 96.410T, adopted November 21, 1996; Resolution 14242, finding of consistency with the General Plan, adopted November 21, 1996.)

(January 6, 1997 - Substitute ordinance as recommended by Planning Commission referred to Committee.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

Monday, January 27, 1997

REGULAR CALENDAR

UNFINISHED BUSINESS

Committee of the Whole Rise and Report Without Recommendation

Finally Passed

[Amendment to Yerba Buena Redevelopment Plan]

Ordinance amending Ordinance No. 98-66, as amended by Ordinance Nos. 201-71, 393-73, 386-76, 367-77, 420-79, 538-81, 477-86 and 404-94, approving and adopting an amendment to the Redevelopment Plan for the Yerba Buena Center Redevelopment Project Area, which amendment modifies the land use designation for certain property within the project area (east block 1) to add residential land use as a permitted use and to increase the permitted residential density on that property. (Supervisor Yaki)

File 91-97-1.2, Ordinance No. 33-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Water Department]

Ordinance rescinding and transferring \$10,910,000, Water Department, of various capital improvement projects funds, for fiscal year 1996-97. (Controller)

File 101-96-28, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

[Appropriation, Board of Supervisors]

Ordinance appropriating \$10,000, Board of Supervisors, from the General Fund Reserve to memberships to join the Urban Counties Caucus, for fiscal year 1996-97. (Controller)

File 101-96-30, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

[Appropriation, Administrative Services/City Attorney/Controller] Ordinance appropriating \$300,000, Department of Administrative Services, City Attorney and Controller, from Bond Proceeds (\$51,415 of 1992 Fire Facility Improvement Bonds-Series 1996C; \$103,219 of 1994 School Bonds-Series 1996D; \$106,229 of Asian Art Museum Relocation Bonds-Series 1996E and \$39,137 of 1989 Earthquake Safety Bonds-Series 1996B) for other current expenses, (costs of bond issuance) for fiscal year 1996-97. (Controller)

File 101-96-31, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Monday, January 27, 1997

Absent: Supervisors Kaufman, Leal - 2.

[Commission on the Aging Membership]

Ordinance amending Administrative Code, relating to Commission on Aging membership by adding additional specific organizations. (Commission on the Aging)

File 97-96-65, Ordinance No.

(Amends Section 16.6-59.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

Consideration Continued

[Permits, Specialized Motor Vehicles for Hire]

Ordinance amending Police Code, by amending the definition of taxicab and add new sections concerning regulation of specialized motor vehicles for hire (ramped taxis). (Police Commission)

File 121-96-14, Ordinance No.

(Amends Section 1076;  
Adds Sections 1148 through 1148.5.)

Supervisor Ammiano, seconded by Supervisor Yaki, moved to continue consideration to February 3, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

[Permit Fees for Tow Car Firms/Ramped Taxicabs]

Ordinance amending Police Code, relating to permit filing fees and permit license fees for tow car firms and ramped taxicabs (minivan taxicabs adapted for wheelchair users); companion measure to File 121-96-14. (Police Commission)

File 121-96-13, Ordinance No.

(Amends Sections 2.26, 2.27.)

(Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Yaki, moved to continue consideration to February 3, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

Adopted

[Emergency Repair, Pier 48 Sheds A and B]

Resolution approving a declaration of emergency to demolish the fire damaged Pier 48 sheds at the Port; and to conduct damage assessment and design repair work in the amount of \$318,400. (Port Commission)

File 28-96-13, Resolution No. 93-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

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[Emergency Repair, Pier 43-1/2]

Resolution approving a declaration of emergency for engineering services to repair a failed section of Pier 43-1/2, Franciscan Restaurant Parking Deck, Port of San Francisco (\$12,955). (Port Commission)

File 28-96-14, Resolution No. 94-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

Recommendations of Government Efficiency and Labor Committee

Consideration Continued

[Airport - United Air Lines, Inc. Lease]

Resolution approving retroactively, lease between United Air Lines, Inc. and the City and County, acting by and through its Airport Commission. (Airport Commission)

File 27-96-16, Resolution No.

(Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Yaki, moved to continue consideration to February 3, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

Adopted

[Pacific Bell Mobile Services Transmitter Lease]

Resolution authorizing and approving a lease of wireless transmitter and antennae space within and on Fire Department Station 15 to Pacific Bell Mobile Services. (Real Estate)

File 65-96-14, Resolution No. 95-97

An amended agreement was presented for approval and inclusion in the file.

The roll was then called on the pending resolution and amended agreement and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Male speaker, homelessness;  
Brian, Dover Club.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Cultural Facilities Bond Time Limit Waiver]

Resolution waiving the time limit for adopting a resolution of public interest and necessity in connection with submitting a June 1997 ballot measure for approval of \$49,000,000 in general obligation bonds for cultural facilities; establishing a new deadline date of February 3, 1997. (Supervisor Kaufman)



File 170-96-11.1, Resolution No. 96-97

(January 21, 1997 - Introduced in Board for consideration on January 27, 1997.)

Adopted.

[Education Bond Time Limit Waiver]

Resolution waiving the time limit for adopting a resolution of public interest and necessity in connection with submitting a June 1997 ballot measure for approval of \$140,000,000 in general obligation bonds for education facilities; establishing a new deadline date of February 3, 1997. (Supervisor Kaufman)

File 170-96-12.2, Resolution No. 97-97

(January 21, 1997 - Introduced in Board for consideration on January 27, 1997.)

Adopted.

[Zoo Bond Time Limit Waiver]

Resolution waiving the time limit for adopting a resolution of public interest and necessity in connection with submitting a June 1997 ballot measure for approval of \$48,000,000 in general obligation bonds for zoo improvements; establishing a new deadline date of February 3, 1997. (Supervisor Kaufman)

File 170-96-13.1, Resolution No. 98-97

(January 22, 1997 - Introduced in Board for consideration on January 27, 1997.)

Adopted.

[John Langley Howard Day]

Resolution congratulating John Langley Howard on the achievement of his ninety-fifth birthday and declaring February 5, 1997 to be "John Langley Howard Day" in the City and County. (Supervisors Leal, Bierman)

File 4-97-2, Resolution No. 99-97

(January 21, 1997 - Introduced in Board for consideration on January 27, 1997.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Commend Tung Hwa Benevolent Association]

Resolution commending Tung Hwa Benevolent Association and declaring February 1, 1997 as "Tung Hwa Benevolent Association Day" in San Francisco. (Supervisors Teng, Yaki, Bierman, Katz)

File 6-97-10, Resolution No. 100-97

(January 21, 1997 - Introduced in Board for consideration on January 27, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Commend Hop Wo Benevolent Association]

Resolution commending Hop Wo Benevolent Association and declaring February 1, 1997 as "Hop Wo Benevolent Association Day" in San Francisco. (Supervisors Teng, Yee, Bierman, Katz)

File 6-97-11, Resolution No. 101-97

(January 21, 1997 - Introduced in Board for consideration on January 27, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Supporting AB 12, AB 34 and AB 38]

Resolution supporting AB 12, AB 34 and AB 38 which provide certain standards for health care for women. (Supervisors Kaufman, Leal, Katz, Bierman, Teng)

File 12-97-2, Resolution No. 102-97

Monday, January 27, 1997

(January 21, 1997 - Introduced in Board for consideration on January 27, 1997.)

Adopted.

[Expert Witness Disclosure]

Resolution supporting State legislation that would require any expert without exception that potentially may be used by either party in civil litigation to provide a declaration of qualifications and opinions as a witness, and directing the Clerk to transmit the resolution to the Mayor and the City's lobbyist. (Supervisor Kaufman)

File 12-97-3, Resolution No. 103-97

(January 21, 1997 - Introduced in Board for consideration on January 27, 1997.)

Adopted.

[HOPWA Program]

Resolution respectfully requesting the Office of Management and Budget to reconsider its decision not to adequately fund the Housing Opportunities for People With AIDS (HOPWA) program, and to grant the increase in funding as requested by Secretary Cisneros at the U.S. Department of Housing and Urban Development (HUD), from \$196 million to \$215 million to address the substantial unmet need of affordable housing and supported housing and to fund newly eligible areas. (Supervisors Ammiano, Bierman, Katz)

File 13-97-2, Resolution No. 104-97

(January 21, 1997 - Introduced in Board for consideration on January 27, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[December Winter Storm Emergency, 1996]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms. (Supervisor Kaufman)

File 270-97-1.1

(January 22, 1997 - Introduced in Board for consideration on January 27, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Leal - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Special Election, Bond Propositions]

Ordinance calling and providing for a special election to be held in the City and County on Tuesday, June 3, 1997, for the purpose of submitting to voters of the City and County propositions to incur the following bonded debts for the acquisition, construction and/or reconstruction of (1) \$140,000,000 for educational facilities used or to be used by San Francisco Unified School District or the City College of San Francisco; (2) \$48,000,000 for Zoo facilities and properties; (3) \$49,000,000 for community cultural facilities which include such facilities as the Mission Cultural Center Bayview Opera House, Center for African and African-American Art and Culture, South of Market Cultural Center, Art Commission Gallery, Gay/Lesbian Cultural Center, Native American Cultural Center and the Center for Asian Pacific American Arts and Culture; and that the estimated cost of said projects is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than amount allowed by the annual tax levy; reciting estimated costs of such projects; fixing date of election and manner of holding such election and procedure for voting for or against the propositions; fixing the maximum rate of interest on said bonds and providing for levy

Monday, January 27, 1997

and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; consolidating the special election with citywide June 3rd special election; and providing that the election precincts, voting places and officers for election shall be the same as for the citywide June 3rd special election. Supervisor Yaki presented. Referred to Finance Committee.

File 060-97-002.

[Mental Health Site Approval Procedures]

Ordinance amending Administrative Code by repealing Section 15.7, to delete provisions which requires Planning Commission or Health Commission approval for the location or relocation of mental health and substance abuse facilities that are a part of the community mental health and substance abuse plans; specific public posting requirements and appeal to the Board of Supervisors. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 097-97-006.

Referred to Board

[Celebrating Lunar New Year]

Resolution commemorating the Year of the Ox and declaring February 7, 1997 to be "Celebrating Lunar New Year Day" in San Francisco. Supervisors Teng, Yaki, Yee, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 3, 1997.

File 004-97-003.

[California State Parent Teachers Association]

Resolution proclaiming February 20, 1997 as "Parent Teachers Association (PTA) Day" in San Francisco. Supervisors Teng, Ammiano, Kaufman, Yee, Bierman, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar February 3, 1997.

File 004-97-004.

[State Legislation, AB 48]

Resolution supporting AB 48 which requires specific reporting procedures for money spent on fighting crack cocaine epidemic. Supervisors Yee, Brown, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar February 3, 1997.

File 012-97-004.

[State Legislation, AB 6, SB 3]

Resolution declaring support of companion bills in the Assembly (AB 6) and the Senate (SB 3) which would make gamma hydroxy butyrate (GHB) a Schedule I drug. Supervisors Ammiano, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar February 3, 1997.

File 012-97-005.

[Cable Television Customer Service Standards]

Resolution adopting minimum standards for customer service by cable television operators and directing the Clerk to notify TCI of the adoption of this resolution. Supervisors Leal, Kaufman, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar February 3, 1997.

File 032-97-002.

Referred to Committee

[San Francisco Lighting Policy]

Resolution urging the Public Utilities Commission to adopt the modification to its street lighting guidelines currently before it and consider metal halide lamps as an alternative street lighting source and to develop long-term strategic plan to light the streets of San Francisco to increase pedestrian safety, commercial activity and to enhance civic beauty. Supervisors Teng, Bierman, Katz presented. Referred to Housing and Neighborhood Services Committee.

File 191-97-002.

[Metal Halide Lamp Pilot Projects]

Resolution urging the Public Utilities Commission, the Department of Public Works, the Recreation and Park Department and the Pacific Gas and Electric Company to coordinate efforts to install metal halide lamps in Chinatown, Union Square and Civic Center Plaza as neighborhood pilot projects. Supervisors Teng, Bierman, Katz presented. Referred to Housing and Neighborhood Services Committee.

File 191-97-002.01.

Requests for Hearings:

[Edgehill Mountain Stability]

Hearing to consider the stability of Edgehill Mountain, the safety of the roadway area and the progress on repairs. Supervisors Teng, Katz presented. Referred to Housing and Neighborhood Services Committee with request it be considered at the February 6, 1997 meeting.

File 028-97-001.02.

[Central Freeway]

Hearing to receive public testimony regarding the Central Freeway. Supervisors Yaki, Ammiano, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 085-97-001.

[Metal Halide Lamps, Park Facilities]

Hearing to consider the feasibility of using metal halide lamps in Golden Gate Park and Portsmouth Square as pilot projects. Supervisors Teng, Bierman, Katz presented. Referred to Housing and Neighborhood Services Committee.

File 191-97-002.02.

[Metal Halide Lamps Pilot Projects]

Hearing to consider plans and progress reports from the Public Utilities Commission, Department of Public Works, Recreation and Park Department and Pacific Gas and Electric Company for the installation of metal halide lamps in Chinatown, Union Square and Civic Center Plaza. Supervisors Teng, Bierman, Katz presented. Referred to Housing and Neighborhood Services Committee.

File 191-97-002.03.

[Soccer Fields]

Hearing to ascertain how many more soccer playing fields can be provided. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 193-97-001.

[Residential Permit Process]

Hearing to consider the permit process as it relates to residential projects. Supervisor Katz presented. Referred to Housing and Neighborhood Services Committee.

File 228-97-001.

Motions:

Referred to Board

[Time Extension]

Motion extending to February 28, 1997, the deadline for a Board of Supervisors committee to consider the imposition of Interim Zoning Controls to prohibit introduction of new bars, full-service restaurants, specialty groceries and retail coffee stores in the West Portal Avenue Neighborhood Commercial District (as defined in Planning Code Section 729.1 et seq.) for an eighteen-month period. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 3, 1997.

File 111-96-005.01.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar February 3, 1997.

File 030-97-001.01.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-97-001. [Sidewalk Width Regulations, Market Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1536 changing the official sidewalk width on the south side of Market Street northeasterly of 7th Street, as shown on the Department of Public Works drawing labeled Q-20-467 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 093-96-014.01. [Amendment to MOU, Local 261] Ordinance amending Ordinance No. 172-96 to correct clerical errors and omissions to the provisions of the Memorandum of Understanding between the Laborers International Union of North America, Local 261 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. (Department of Human Resources) Referred to Finance Committee.

File 093-97-003. [MOU, MEA Police, Bargaining Unit P3] Ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County of San Francisco for Bargaining Unit P3 to be effective July 1, 1992 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-004. [MOU, MEA Airport Police, Bargaining Unit XP3] Ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County of San Francisco for Bargaining Unit XP3 to be effective July 1, 1992 through June 30, 1997. (Department of Human Resources) Referred to Finance Committee.

File 093-97-005. [MOU, MEA Fire, Bargaining Unit F3] Ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County of San Francisco for Bargaining Unit F3 to be effective July 1, 1992 through June 30, 1999. (Department of Human Resources) Referred to Finance Committee.

File 093-97-006. [Mediated Settlement, IT Study, Local 21] Ordinance implementing the provisions of a mediated settlement dated November 20, 1996 between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County of San Francisco providing for the arbitrable terms of implementation of the IT Study. (Department of Human Resources) Referred to Finance Committee.

File 101-96-042. [Appropriation, Department of Public Health] Ordinance appropriating \$62,310, Department of Public Health, of new State tobacco tax revenues and reallocating \$374,512 between various community health services and San Francisco general tobacco tax appropriations to reflect current expenditure plans, including \$229,744 appropriation of tobacco tax revenues for fringe benefits at San Francisco General Hospital for fiscal year 1996-97. RO #96184. (Controller) Referred to Finance Committee.

File 101-96-043. [Appropriation, Art Commission] Ordinance appropriating \$22,500, Art Commission, of Public Art Fund Revenue to salaries and fringe benefits for the creation of one (1) position for fiscal year 1996-97. RO #96191. (Controller) Referred to Finance Committee.

File 101-96-044. [Appropriation, Recreation and Park Department] Ordinance appropriating \$300,000, Recreation and Park Department, from the General Fund Reserve to purchase golf equipment for fiscal year 1996-97. RO #96197. (Controller) Referred to Finance Committee.

File 102-96-008. [ASO Amendment, DPH-Mental Health] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) reflecting the creation of one (1) position (Class 2823 Mental Health Educator), in the Department of Public Health, Division of Mental Health; companion measure to File 101-96-39. (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 027-97-002. [Emergency, Connection of UAL/Co-Gen to Station BA] Resolution approving declaration of emergency, electrical connection of United Airlines electrical co-generation station to the Airport's Station BA, San Francisco International Airport. (Airport) Referred to Finance Committee.

File 064-97-001. [Lease of Property at 899 Bryant Street] Resolution authorizing a lease of real property at 899 Bryant Street, San Francisco, for the Department of Parking and Traffic Enforcement Division. (Real Estate Department) Referred to Finance Committee.

File 064-97-002. [Sublease of Real Property at Building 606] Resolution authorizing a sublease of real property at Building 606, Hunters Point Shipyard, San Francisco, for the San Francisco Police Department. (Real Estate Department) Referred to Finance Committee.

File 084-97-002. [Property Acquisition, 349-65 7th St/45 Cleveland] Resolution authorizing the Director of Property to exercise the City's rights under an option agreement to purchase real property located at 349-65 7th Street and 45 Cleveland Street (McCormick Trust Property), and the additional payment of \$4,360,450 of San Francisco Park and Open Space funds therefor; companion measure to Files 172-97-1, 271-97-1, and 271-97-1.1. (Also see File 84-96-3). (Real Estate Department) Referred to Finance Committee.

Monday, January 27, 1997

File 089-97-002. [SDI Coverage, Classification 9146] Resolution authorizing enrollment of classification 9146 Manager, Elderly and Handicapped Programs in the State Disability Insurance Program. (Department of Human Resources) Referred to Finance Committee.

File 161-97-001. [Redevelopment Project Area Committee] Resolution confirming the election of members to the Project Area Committee for the South Bayshore/Hunters Point Redevelopment Project Area. (Redevelopment Agency) Referred to Economic Development, Transportation and Technology Committee.

File 172-97-001. [Exchange of Real Property] Resolution authorizing the Director of property to enter into an agreement with the San Francisco Unified School District for the exchange of real property located at 349-65 7th Street and 45 Cleveland Street for real property located at 55 Sherman Street, which is currently the site of the Bessie Carmichael School; the payment of Eight Hundred Thousand Dollars (\$800,000) in Park and Open Space funds to the San Francisco Unified School District; and the lease back to the School District of the Bessie Carmichael School site for a maximum period of three years; companion measure to Files 84-97-2, 271-97-1, and 271-97-1.1. (Real Estate Department) Referred to Finance Committee.

File 271-97-001. [Final Environmental Impact Report] Resolution finding and determining that the proposed South of Market Redevelopment Plan Amendment, File No. 94.670E, will have significant impacts on the environment, and adopting and incorporating findings of Final Environmental Impact Report, pursuant to the California Environmental Quality Act; companion measure to Files 84-97-2, 172-97-1, and 271-97-1.1. (Planning Department) Referred to Finance Committee.

File 271-97-001.01. [Amendment to the San Francisco General Plan] Resolution adopting amendments to the San Francisco General Plan in order to designate the Bessie Carmichael School site (Lot 16 in Assessor's Block 3754) and Sherman Way between Cleveland and Harrison Streets, as proposed public open space, and finding that acquisition of property located at 349-365 7th Street and 45 Cleveland Street (Lots 62-64 in Assessor's Block 3754) by the City and County of San Francisco, transfer of said property to the San Francisco Unified School District for creation of a public school and transfer of the Bessie Carmichael School site from the San Francisco Unified School District to the City and County of San Francisco for creation of a public park is consistent with the General Plan; companion measure to Files 84-97-2, 172-97-1, and 271-97-1.1. (Planning Department) Referred to Finance Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that letter be sent to General Manager, Municipal Railway, through the Public Transportation Commission, to inquire what steps the department has taken in response to the Muni audit and what the financial impact of BARTD fare increases has on the City.

By Supervisor Katz, that City Attorney review, prepare and approve as to form draft ordinance which would establish the San Francisco Labor/Management Card Check/Neutrality Ordinance (a method for determining employee preference on the subject of union representation) in certain developments or facilities contemplating or permitting operation of a hotel, a restaurant or bar in which City retains proprietary interest and in redevelopment projects.

By Supervisors Leal, Kaufman, Brown, that City Attorney prepare ordinance imposing penalties on cable television franchise operators that fail to comply with federally mandated and locally adopted mandatory minimum customer service standards.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Carlton B. Goodlett (By the entire Board)

File 2-96-4

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 2:48 p.m. adjourned.

John L. Taylor, Clerk

Monday, January 27, 1997

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 24, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors





Monday, February 3, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 3, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Leal, seconded by Supervisor Teng, moved that the Journals of Proceedings for Monday, November 25, and December 9, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Presentation of Guests  
Suspension of the Rules

Supervisor Leal, seconded by Supervisor Yaki, moved to suspend the rules of order to grant privilege of the floor to various guests.

No objection and motion carried.

Supervisor Leal introduced and welcomed John Langley Howard, muralist contributor to the Coit Tower who will become 95 years old on February 5, 1997, accompanied by his daughter and son. Mr. Howard thanked the Board of Supervisors for the certificate of honor recognizing his accomplishments.

Supervisor Ammiano introduced and welcomed Tony Kilroy and Gerry Duddy, civil rights advocates from Ireland, who are here to seek support to put pressure on the British Government to reopen investigation of the incident January 30, 1972 in Derry City, known as "Bloody Sunday".

Disability Awareness Day

The Board of Supervisors participated in the Second Annual Disability Awareness Day as follows:

Supervisors Bierman, Katz, Kaufman, Leal, Medina, Teng and Yaki were in wheelchairs; Supervisor Ammiano and Brown were "blind" and Supervisor Yee had a walking cane.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Water Department]  
Ordinance rescinding and transferring \$10,910,000, Water Department, of various capital improvement projects funds, for fiscal year 1996-97. (Controller)

File 101-96-28, Ordinance No. 35-97

(Fiscal Impact.)

Finally passed.

Monday, February 3, 1997

[Appropriation, Board of Supervisors]

Ordinance appropriating \$10,000, Board of Supervisors, from the General Fund Reserve to memberships to join the Urban Counties Caucus, for fiscal year 1996-97. (Controller)

File 101-96-30, Ordinance No. 36-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Administrative Services/City Attorney/Controller] Ordinance appropriating \$300,000, Department of Administrative Services, City Attorney and Controller, from Bond Proceeds (\$51,415 of 1992 Fire Facility Improvement Bonds-Series 1996C; \$103,219 of 1994 School Bonds-Series 1996D; \$106,229 of Asian Art Museum Relocation Bonds-Series 1996E and \$39,137 of 1989 Earthquake Safety Bonds-Series 1996B) for other current expenses, (costs of bond issuance) for fiscal year 1996-97. (Controller)

File 101-96-31, Ordinance No. 37-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Mayor's Office]

Ordinance appropriating \$60,145, Mayor's Office, from General Fund Reserve for bilingual domestic violence to allow the Mayor's Office to contract with the Asian Women's Shelter for fiscal year 1996-97. (Controller)

File 101-96-34, Ordinance No. 38-97

Finally passed.

[Appropriation, Mayor's Office of Community Dev.]

Ordinance appropriating \$187,936, Mayor's Office of Community Development, to continue contracts for dispute resolution services in fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-35, Ordinance No. 39-97

Finally passed.

[Commission on the Aging Membership]

Ordinance amending Administrative Code, relating to Commission on Aging membership by adding additional specific organizations. (Commission on the Aging)

File 97-96-65, Ordinance No. 34-97

(Amends Section 16.6-59.)

Finally passed.

#### Recommendations of Rules Committee

##### Passed for Second Reading

[Deedra Robinson v. CCSF et al.]

Ordinance authorizing settlement of litigation of Deedra Robinson against the City and County by payment of \$9,000. (City Attorney)

File 45-97-2, Ordinance No.

(Municipal Court No. 123-430.)

Passed for second reading.

[Frederic N. Fremy v. CCSF et al.]

Ordinance authorizing settlement of litigation of Frederic N. Fremy against the City and County by payment of \$15,000. (City Attorney)

File 45-97-3, Ordinance No.

(Superior Court No. 973-839.)

Monday, February 3, 1997

Passed for second reading.

[Don Alan v. CCSF]

Ordinance authorizing settlement of litigation of Don Alan v. City and County by payment of \$70,000.  
(City Attorney)

File 45-97-4, Ordinance No.

(Superior Court No. 977-113.)

Passed for second reading.

Adopted

[Settlement of Claim, CSAA/Tom Johnson]

Resolution approving the settlement of the unlitigated claim of CSAA/Tom Johnson by payment of \$9,950.00. (City Attorney)

File 48-97-1, Resolution No. 124-97

Adopted.

[Claim, Delfin Bermejo/Farmers Insurance Group]

Resolution approving the settlement of the unlitigated claim of Delfin Bermejo/Farmers Insurance Group by payment of \$7,456.53. (City Attorney)

File 48-97-2, Resolution No. 125-97

Adopted.

[Claim, East Bay Regional Park District]

Resolution approving the settlement of the unlitigated claim of East Bay Regional Park District by payment of \$23,005.19. (City Attorney)

File 48-97-3, Resolution No. 126-97

Adopted.

[Settlement of Claim, Kjell Hallum]

Resolution approving the settlement of the unlitigated claim of Kjell Hallum by payment of \$13,500.00.  
(City Attorney)

File 48-97-4, Resolution No. 127-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendations of Budget Committee

Consideration Continued

[Permits, Specialized Motor Vehicles for Hire]

Ordinance amending Police Code, by amending the definition of taxicab and add new sections concerning regulation of specialized motor vehicles for hire (ramped taxis). (Police Commission)

File 121-96-14, Ordinance No.

(Fiscal Impact.)

(Amends Section 1076;

Adds Sections 1148 through 1148.5.)

Monday, February 3, 1997

(January 27, 1997 - Consideration continued to February 3, 1997.)

Supervisor Bierman, seconded by Supervisor Ammiano, moved to continue consideration to February 10, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Permit Fees for Tow Car Firms/Ramped Taxicabs]

Ordinance amending Police Code, relating to permit filing fees and permit license fees for tow car firms and ramped taxicabs (minivan taxicabs adapted for wheelchair users); companion measure to File 121-96-14. (Police Commission)

File 121-96-13, Ordinance No.

(Amends Sections 2.26, 2.27.)

(Fiscal Impact.)

(January 27, 1997 - Consideration continued to February 3, 1997.)

Supervisor Leal, seconded by Supervisor Katz, moved to continue consideration to February 10, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

From Budget Committee with Recommendation "Do Submit"

Adopted as Amended

[General Obligation Bonds, Zoo]

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of San Francisco Zoo facilities and properties and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$48,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and the City's General Plan. (Supervisors Yaki, Kaufman, Bierman, Teng)

File 170-96-13, Resolution No. 115-97

(Fiscal Impact.)

(January 21, 1997 - Consideration continued to February 3, 1997.)

Supervisor Yaki, seconded by Supervisor Teng, moved to amend title, page one, line eleven, after "indebtedness" by adding "; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and the City's General Plan"; amend page two by adding the following paragraph: "Section 3. Proposition M Findings. The Board of Supervisors having reviewed the proposed legislation, finds and declares that the proposed project is in conformity with the priority policies of Section 101.1(b) of the Planning Code and with the City's General Plan, and hereby adopts the findings of the Planning Department, as set forth in the General Plan Referral Report, dated January 31, 1997, and incorporates said findings by reference." and renumber current Section 3 as Section 4.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

From Committee of the Whole Without Recommendation

Adopted as Amended

Monday, February 3, 1997

[General Obligation Bonds, Educational Facilities]

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of educational facilities used or to be used by the San Francisco Unified School District or the City College of San Francisco and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$140,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and the City's General Plan. (Supervisors Teng, Ammiano, Katz)

File 170-96-12.1, Resolution No. 114-97

(January 21, 1997 - Consideration continued to February 3, 1997.)

Supervisor Teng, seconded by Supervisor Katz, moved to amend title, page one, line twelve, after "indebtedness" by adding "; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and the City's General Plan"; amend page two by adding the following paragraph: "Section 3. Proposition M Findings. The Board of Supervisors having reviewed the proposed legislation, finds and declares that the proposed project is in conformity with the priority policies of Section 101.1(b) of the Planning Code and with the City's General Plan, and hereby adopts the findings of the Planning Department, as set forth in the General Plan Referral Report, dated January 31, 1997, and incorporates said findings by reference." and renumber current Section 3 as Section 4.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

Recommendation of Government Efficiency and Labor Committee

Consideration Continued

[Airport - United Air Lines, Inc. Lease]

Resolution approving retroactively, lease between United Air Lines, Inc. and the City and County, acting by and through its Airport Commission. (Airports Commission)

File 27-96-16, Resolution No.

(Fiscal Impact.)

(January 27, 1997 - Consideration continued to February 3, 1997.)

Supervisor Katz, seconded by Supervisor Ammiano, moved to continue consideration to February 10, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Recommendation of Rules Committee

Consideration Continued

[Cable TV Franchise Confidential Communications]

Motion waiving the Attorney-Client privilege regarding the two cable television franchise confidential communications from the City Attorney's office for which the Board of Supervisors holds the attorney-client privilege, and directing the Clerk to place these files in Board File No. 32-96-1.4. (Supervisors Ammiano, Katz, Yaki)

File 32-96-1.7

(January 21, 1997 - Consideration continued to February 3, 1997.)

Supervisor Ammiano, seconded by Supervisor Bierman, moved to continue consideration to February 10, 1997.

Motion to continue adopted by the following vote:

Monday, February 3, 1997

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Cable Television Franchise Amendments]

Ordinance amending Ordinance Number 105-64, as amended by Ordinances No. 528-88, 315-89, 375-90 and 42-91, by amending all sections, including deleting Section 19 and Appendices 1 through 9, renumbering Sections 20 through 24 and adding new Sections 24, 25, 26, 27, 28, 29, 30, 31, and 32 and Appendices A through H, to clarify and expand the obligations of the grantee, Television Signal Corporation. (City Attorney)

File 32-96-1.4, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Medina, Yee - 3.

Adopted

[Cable Television Franchise Transfer]

Resolution approving the transfer of control over Television Signal Corporation, San Francisco Cable Television Franchise grantee, from Viacom, Inc., to Tele-Communications, Inc., upon condition of acceptance and tender to the City and County of the franchise amendments, the guaranty, the mutual release and compensation for certain costs and expenses related to the transfer. (City Attorney)

File 32-96-1.5, Resolution No. 107-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Medina, Yee - 3.

[Side-Letter Agreement, Television Signal Corporation]

Resolution approving the Side-Letter Agreements by and between Television Signal Corporation and the City and County of San Francisco through their respective counsel regarding certain agreements between the parties in connection with the transfer of control of Television Signal Corporation from Viacom, Inc., to Tele-Communications, Inc. (City Attorney)

File 32-96-1.8, Resolution No. 109-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Medina, Yee - 3.

[Gift Acceptance, Tele-Communications, Inc.]

Resolution authorizing the Director of the Department of Telecommunications and Information Services to accept on behalf of the City a gift in the amount of Two Hundred Thousand Dollars (\$200,000), from Tele-Communications, Inc. (TCI) for the purchase of television production equipment for the government access channel for installation in the television studio in the new Main Library. (City Attorney)

File 32-96-1.6, Resolution No. 108-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.



Monday, February 3, 1997

From Budget Committee  
With Recommendation "DO PASS"

Passed for Second Reading

[Special Election, June 3, 1997]

Ordinance calling and providing for a special election to be held in the City and County on Tuesday, June 3, 1997, provided that one or more measures is timely submitted to the voters of the City and County to be voted on at that election. (Clerk of the Board)

File 60-97-1, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Recommendations of Finance Committee

Passed for Second Reading

[Grievance Settlement, Local 21]

Ordinance implementing settlement of a grievance filed pursuant to the Memorandum of Understanding between the City and County and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 providing for a step increase for provisional employees to be effective for the period July 1, 1995 through June 30, 1998. (Supervisor Ammiano)

File 93-96-33, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Adopted

[Emergency Repair, Pier 70 Drydock Oil Spill]

Resolution approving a declaration of emergency for contractual assistance in assessing damages from the Cape Mohicon oil spill incident at Pier 70, Port, in the amount of \$42,000. (Port Commission)

File 28-96-12, Resolution No. 106-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Recommendations of Rules Committee

Adopted

[Appointments]

Resolution appointing members to the Lead Poisoning Prevention Citizens Advisory Committee. (Rules Committee)

File 92-96-46.2, Resolution No. 110-97

(Giulio Francesconi, vice Janan New, Seat No. 26611, expertise in residential multi-dwellings, term expired, for new four-year term ending August 20, 2000;

Nancy Lewis, vice David Tajeda, Seat No. 26624, medical provider, resigned, for unexpired portion of four-year term ending August 27, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Appointment]

Resolution appointing alternate member to the Assessment Appeals Board #2, for unexpired portion of three-year term ending September 7, 1998. (Rules Committee)

Monday, February 3, 1997

File 92-96-51, Resolution No. 105-97

(Blayne Asher, vice Laurence Lee, Seat No. 21012, hearing officer/alternate position, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Appointments]

Resolution appointing members to the Delinquency Prevention Commission, terms expired, for new four-year terms ending December 31, 2000. (Rules Committee)

File 92-96-58.1, Resolution No. 111-97

(Keysha McFarlin, vice Taima Ford, Seat No. 21801, youth seat;  
Jeannie Hwang, vice Patricia Lee, Seat No. 21807;  
Laurie Belton, vice Joshua Bloom, Seat No. 21809;  
Mary Midgett, vice Karen Koonan, Seat No. 21810;  
Adante Higgins, vice self, Seat No. 21812;  
Yvette Gomez, vice Migdalia Rosado, Seat No. 21813.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Appointments]

Resolution appointing governing body members to the San Francisco Health Authority. (S.F. Health Authority)

File 92-96-68, Resolution No. 112-97

(Stuart Heard, Pharmacy Leadership Group;  
Charles Range, S.F. Community Clinic Consortium;  
David Soffa, S.F. Medical Society.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Appointment]

Resolution appointing member to the Developmental Disabilities Area Board V, for unexpired portion of three-year term ending December 31, 1998. (Rules Committee)

File 92-97-1, Resolution No. 128-97

(Theresa Gallegos, vice Michael Grafton, Seat No. 21901, public-at-large, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Appointments]

Resolution appointing members to the Mental Health Board. (Rules Committee)

File 92-97-2.1, Resolution No. 129-97

(Darwin Dias, vice himself, Seat No. 50112, consumer, for new three-year term ending January 31, 2000;

Supervisor Sue Bierman, Seat 50117, must be member of the Board of Supervisors, for new two-year term ending January 31, 1999.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

SPECIAL ORDER 3:00 P.M.

Hearing Held

Monday, February 3, 1997

[Public Hearing]

Hearing of persons interested in or objecting to adding to the proposed bond measure for acquisition, construction or reconstruction by the City and County of community cultural facilities, an additional \$4,000,000 for the Center for Asian American Arts and Culture, bringing the total estimated cost to \$49,000,000.

File 170-96-11

(January 21, 1997 - Consideration continued to February 3, 1997.)

The privilege of the floor was granted to the following persons:

Speaking in support: Camille, Molly, Pam Wu, Rita Berlin, John C. Ho, Claudine Naganuma, Janeen Antoine, Julie, Randy Burns, Mark Nash, Jerry Freehawks, Neil Patsweeney, Tamara Chin.

Speaking in opposition: Ernestine Weiss.

There being no one else present wishing to speak, the President declared the public hearing closed.

From Budget Committee with Recommendation "Do Submit"

Adopted as Amended

[General Obligation Bonds, Cultural Facilities]

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of community cultural facilities which include such facilities as the Mission Cultural Center, Bayview Opera House, Center for African and African-American Art and Culture, South of Market Cultural Center, Art Commission Gallery, Gay/Lesbian Cultural Center, and Native American Cultural Center, the Center for Asian American Arts and Culture and all other works, property and structures necessary to convenient for the foregoing purposes, that the estimated cost of \$49,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and the City's General Plan. (Supervisors Kaufman, Bierman, Teng)

File 170-96-11, Resolution No. 113-97

(Fiscal Impact.)

(January 21, 1997 - Consideration continued to February 3, 1997.)

Supervisor Teng, seconded by Supervisor Ammiano, moved to amend title, page one, line fifteen, after "indebtedness" by adding "; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and the City's General Plan"; amend page two by adding the following paragraph: "Section 3. Proposition M Findings. The Board of Supervisors having reviewed the proposed legislation, finds and declares that the proposed project is in conformity with the priority policies of Section 101.1(b) of the Planning Code and with the City's General Plan, and hereby adopts the findings of the Planning Department, as set forth in the General Plan Referral Report, dated January 31, 1997, and incorporates said findings by reference." and renumber current Section 3 as Section 4.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to decision of Planning Commission by its Motion No. 14245, dated November 21, 1996, approving Conditional Use Application No. 96.453C, for conditional use authorization to install a total of six antennas on the roof and a base transceiver station in the garage of an existing four-story mixed use (residential/commercial) building in an NC-2 (Small Scale Neighborhood Commercial) District and a 65-A Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 1515 Taraval Street, south side between 25th and 26th Avenues; Lot 50 in Assessor's Block 2400.

Monday, February 3, 1997

File 37-97-1

(Appeal filed December 23, 1996.)

(January 21, 1997 - Consideration continued to February 3, 1997.)

The following persons were sworn in and granted privilege of the floor:

Appellants: Kevin Shannon, Ernie McMann, Kevin Rosen, female speaker.

Respondents: Susan Montana, representing Planning Department and Planning Commission; Lynn Buliem, Tim Stember, Frances Benson.

A rebuttal period was allowed.

The President then declared the hearing closed.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

(Only one of the following two motions should be adopted.)

Adopted

[Zoning Appeal]

Motion approving decision of the Planning Commission by its Motion No. 14245, approving Conditional Use Application No. 96.453C, on property located at 1515 Taraval Street, and adopting findings pursuant to Planning Code Section 101.1.

File 37-97-1.1

(January 21, 1997 - Consideration continued to February 3, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

The President resumed the Chair.

Tabled

[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 14245, approving Conditional Use Application No. 96.453C, on property located at 1515 Taraval Street.

File 37-97-1.2

(January 21, 1997 - Consideration continued to February 3, 1997.)

Supervisor Ammiano, seconded by Supervisor Yaki, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 96.453C on property located at 1515 Taraval Street, for action by the Board at its next meeting.

File 37-97-1.3

(January 21, 1997 - Consideration continued to February 3, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Monday, February 3, 1997

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboriae P. Smoore, police brutality, constitution for poor;  
Ernestine Weiss, Tenants Bill of Rights;  
Camille, youth gender identity safety disorder;  
Michael Powers, oppose health department sex club guidelines;  
Michael Petrelis, gay bath houses;  
Richard Krauser, oppose sex club regulations;  
Male speaker, bath houses.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Time Extension]

Motion extending to February 28, 1997, the deadline for a Board of Supervisors committee to consider the imposition of Interim Zoning Controls to prohibit introduction of new bars, full-service restaurants, specialty groceries and retail coffee stores in the West Portal Avenue Neighborhood Commercial District (as defined in Planning Code Section 729.1 et seq.) for an eighteen-month period. (Supervisor Teng)

File 111-96-5.1.

(January 27, 1997 - Introduced in Board for consideration on February 3, 1997.)

Adopted.

[Celebrating Lunar New Year]

Resolution commemorating the Year of the Ox and declaring February 7, 1997 to be "Celebrating Lunar New Year Day" in San Francisco. (Supervisors Teng, Yaki, Yee, Bierman, Kaufman, Leal, Katz)

File 4-97-3, Resolution No. 116-97

(January 27, 1997 - Introduced in Board for consideration on February 3, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Katz requested to be added as co-sponsors.

[California State Parent Teachers Association]

Resolution proclaiming February 20, 1997 as "Parent Teachers Association (PTA) Day" in San Francisco. (Supervisors Teng, Ammiano, Kaufman, Yee, Bierman, Katz, Yaki, Leal)

File 4-97-4, Resolution No. 117-97

(January 27, 1997 - Introduced in Board for consideration on February 3, 1997.)

Adopted.

In connection with the above item, Supervisors Yaki, Leal requested to be added as co-sponsors.

[State Legislation, AB 48]

Resolution supporting AB 48 which requires specific reporting procedures for money spent on fighting crack cocaine epidemic. (Supervisors Yee, Brown, Ammiano, Bierman, Katz)

File 12-97-4, Resolution No. 121-97

(January 27, 1997 - Introduced in Board for consideration on February 3, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

Monday, February 3, 1997

[State Legislation, AB 6, SB 3]

Resolution declaring support of companion bills in the Assembly (AB 6) and the Senate (SB 3) which would make gamma hydroxy butyrate (GHB) a Schedule I drug. (Supervisors Ammiano, Katz, Bierman, Yaki)

File 12-97-5, Resolution No. 122-97

(January 27, 1997 - Introduced in Board for consideration on February 3, 1997.)

Adopted.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

[Cable Television Customer Service Standards]

Resolution adopting minimum standards for customer service by cable television operators and directing the Clerk to notify TCI of the adoption of this resolution. (Supervisors Leal, Kaufman, Brown, Bierman, Yaki, Katz)

File 32-97-2, Resolution No. 123-97

(January 27, 1997 - Introduced in Board for consideration on February 3, 1997.)

Adopted.

In connection with the above item, Supervisors Yaki, Katz requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-97-1.1

(January 27, 1997 - Introduced in Board for consideration on February 3, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Medina, seconded by Supervisor Katz, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Medina, seconded by Supervisor Katz, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Monday, February 3, 1997

[Imperative Resolutions]

Adopted

[Commend ALAS Project]

Resolution commending the Alternativas Para Latinas en Auto Suficiencia (ALAS) program on their 5th Anniversary of service to the community.

File 006-97-013, Resolution No. 119-97

Supervisors Medina, Leal, Bierman, Ammiano, Kaufman, Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Commend Shanti's Latino Project]

Resolution commending Shanti's Latino Project on their work providing services to spanish-speaking persons living with HIV on the occasion of their "Noche De Salsa" fundraiser.

File 006-97-014, Resolution No. 120-97

Supervisors Medina, Leal, Bierman, Ammiano, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

[Commend Bloody Sunday Justice Campaign]

Resolution commending the Bloody Sunday Justice Campaign.

File 006-97-012, Resolution No. 118-97

Supervisors Ammiano, Bierman, Teng, Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Day of Remembrance]

Resolution commemorating the Day of Remembrance 1997 and declaring February 22, 1997 as "Adios to Tears Day" in San Francisco. Supervisors Teng, Yaki, Leal, Medina, Ammiano, Bierman, Brown, Katz, Kaufman, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar February 10, 1997.

File 004-97-005.

[Commend Jose Caedo]

Resolution commending Jose Caedo for his long service to the citizens of San Francisco, especially members of the senior and disabled communities. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar February 10, 1997.

File 006-97-015.

[Commend Theodore Hsieh Wang]

Resolution commending Theodore Hsieh Wang for his lifelong commitment to civil rights. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar February 10, 1997.

File 006-97-016.

Monday, February 3, 1997

[Commend Laura Wagner-Lockwood]

Resolution commending Laura Wagner-Lockwood for her years of distinguished service as Public Finance Director of the City and County of San Francisco and her many contributions to the City and County. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar February 10, 1997.

File 006-97-017.

[Commend Coalition of Black Trade Unionists]

Resolution commending the Coalition of Black Trade Unionists and declaring February 14, 1997 as "Northern California Coalition of Black Trade Unionists Day" in San Francisco. Supervisors Teng, Brown, Medina, Ammiano, Bierman, Katz, Kaufman, Leal, Yaki, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar February 10, 1997.

File 006-97-018.

[Bloody Sunday Inquiry]

Resolution urging the Government of Great Britain to hold a new inquiry into the killing of fourteen civil rights marchers by British Paratroopers (January 30, 1972, Bloody Sunday). Supervisors Ammiano, Bierman, Teng, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar February 10, 1997.

File 013-97-003.

[Edgehill Way Safety Emergency]

Resolution supporting the efforts of the Departments of Building Inspection and Public Works in responding to the emergency conditions in and around Edgehill Way and demanding that the developers of the Knockash Hill Subdivision assume their responsibility for abating the emergency conditions. Supervisors Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 10, 1997.

File 028-97-001.03.

[Edgehill Way Emergency Authorization]

Resolution concurring with and supporting the Director of the Department of Building Inspection's finding and declaration of a public emergency; urging said Director to take necessary measures in the most expeditious manner to protect the public safety, health, welfare and property of the citizens of San Francisco with regard to the dangerous condition created by the property at 305 Edgehill Way; and to authorize the Director of the Department of Building Inspection and the Director of Public Works to enter into agreements of indemnity based on this and previous Board-declared emergency at Edgehill Way. Supervisors Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 10, 1997.

File 028-97-001.04.

Referred to Committee

[Lease-Finance Bond, Sports Stadium]

Resolution submitting a ballot proposition for this year's June 3rd Special Election, authorizing the City to lease-finance a stadium development at Candlestick Point, in principal amount not exceeding \$100,000,000 provided no City taxes are increased or newly imposed without Proposition 218 voter approval. Supervisor Brown presented. Referred to Finance Committee with request it be considered at the February 12, 1997 meeting.

File 060-97-003.

Requests for Hearings:

[Public, Educational and Government Channels]

Hearing to consider the goals, programs, public accessibility and funding level of the public, educational and governmental channels. Supervisor Teng presented. Referred to Economic Development, Transportation and Technology Committee.

File 220-97-001.

[Minority/Women/Local Business Enterprise Program]

Hearing to consider the status of the Minority/Women/Local Business Enterprise Program and the attendant sunset clause (Administrative Code Section 12D.15). Supervisor Katz presented. Referred to Health, Family and Environment Committee.



Monday, February 3, 1997

File 284-97-001.

Motions:

Referred to Committee

[December Winter Storm 1996 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 Storm. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar February 10, 1997.

File 270-97-001.02.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 007-97-002. [Fees for Paratransit Services] Ordinance approving revised fare schedule for the San Francisco Municipal Railway's contracted lift van and group van paratransit services to provide for lift van services at a rate of 90 cents per trip or a \$35.00 monthly fast pass, and group van services at a rate of 60 cents per trip, and to credit any increased revenues from such fares to provide for additional paratransit services. (Public Utilities Commission) Referred to Finance Committee.

File 034-97-002. [Sidewalk Width Regulations, Day Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1537 changing the official sidewalk width on the south side of Day Street west of Church Street, as shown on the revised Department of Public Works drawing labeled Q-20-451 (change 1) and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 045-97-005. [Grove v. CCSF, et al.] Ordinance authorizing settlement of litigation in the matter entitled Grove v. City and County of San Francisco by payment of \$281,500 or alternatively, \$225,000. (Superior Court No. 970-196). (City Attorney) Referred to Rules Committee.

File 045-97-006. [Karen Chan, June Lee et al. v. CCSF] Ordinance authorizing settlement of litigation of Karen Chan, June Lee, and Fook Shiu Lee v. City and County of San Francisco by payment of \$275,000. (Superior Court No. 977-255) (City Attorney) Referred to Rules Committee.

File 045-97-007. [San Coc Duong v. CCSF et al.] Ordinance authorizing settlement of litigation of San Coc Duong against the City and County of San Francisco by payment of \$9,382. (Superior Court No. 966-554) (City Attorney) Referred to Rules Committee.

File 045-97-008. [Jessie Harjani et al. v. CCSF et al.] Ordinance authorizing settlement of litigation of Jessie Harjani, Martin Harjani, Martin Leung and Mat-Kit Leung against the City and County of San Francisco by payment of \$7,500. (Municipal Court No. 125-870) (City Attorney) Referred to Rules Committee.

File 045-97-009. [Hadley Auto Transport, Inc. v. CCSF et al.] Ordinance authorizing settlement of litigation of Hadley Auto Transport, Inc. against the City and County of San Francisco by payment of \$48,360.53. (Superior Court No. 974-590) (City Attorney) Referred to Rules Committee.

File 045-97-010. [Marga Myers et al., v. CCSF et al.] Ordinance authorizing settlement of litigation of Marga Myers against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 980-293) (City Attorney) Referred to Rules Committee.

File 045-97-011. [Yvette Jordan-Batiste v. CCSF et al.] Ordinance authorizing settlement of litigation of Yvette Jordan-Batiste against the City and County of San Francisco by payment of \$12,500. (Superior Court No. 977-102) (City Attorney) Referred to Rules Committee.

File 045-97-012. [Baeza v. CCSF et al.] Ordinance authorizing settlement of the litigation of Baeza v. City and County of San Francisco, et al. by making a binding offer in the amount of One Hundred and Eighty Five Thousand Dollars (\$185,000) pursuant to Federal Rule of Civil Procedure 68. (USDC Case No. C-93-3130 DLJ, Case No. C-96-1240 DLJ, Consolidated) (City Attorney) Referred to Rules Committee.

File 045-97-013. [Morene Meek v. CCSF et al.] Ordinance authorizing settlement of litigation of Morene Meek against the City and County of San Francisco by payment of \$6,500. (Superior Court No. 970-243) (City Attorney) Referred to Rules Committee.

File 046-97-001. [CCSF v. Pierre Merkl and David Baross] Ordinance authorizing settlement of litigation by the City and County of San Francisco against Pierre Merkl and David Baross by accepting the payment of \$22,000. (Superior Court No. 972-405) (City Attorney) Referred to Rules Committee.

Monday, February 3, 1997

File 101-96-045. [Appropriation, Recreation and Park Department] Ordinance appropriating \$315,250, Recreation and Park Department, of Recreation and Park Revenue for contractual services at the park to reimburse the San Francisco Giants for the installation of the "Out of Town scoreboard at 3COM Park and Candlestick Point for fiscal year 1996-97. RO #96177. (Controller) Referred to Finance Committee.

File 101-96-046. [Appropriation, Public Utilities Commission] Ordinance appropriating \$2,058,214, Public Utilities Commission, of Federal Revenue for salaries, fringe benefits, professional services, overhead, training, taxes, licenses and permits, other current expenses, materials and supplies, equipment lease purchase and services of other departments for the creation of twelve (12) positions at the Public Utilities Commission for costs incurred in taking over the operations and maintenance of the utility systems serving Treasure Island for fiscal year 1996-97; companion measure to Files 102-96-11 and 172-97-4. RO #96218. (Controller) Referred to Finance Committee.

File 102-96-009. [Salary Ordinance Amendment, Art Commission] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) reflecting the creation of one (1) position (Class 1312 Public Information Officer), at the Art Commission; companion measure to File 101-96-43. (Department of Human Resources) Referred to Finance Committee.

File 102-96-010. [Salary Ordinance Amendment, District Attorney] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) reflecting the creation of three (3) positions (Class 8178 Senior Attorney (2), and Class 8180 Principal Attorney (1)), in the District Attorney's Office, Domestic Violence Unit. (Department of Human Resources) Referred to Finance Committee.

File 102-96-011. [Salary Ordinance Amendment, PUC] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) reflecting the creation of twelve (12) positions in the Public Utilities Commission and Department of Public Works to staff assumption of responsibility for utility operation and maintenance at Treasure Island; companion measure to Files 101-96-46 and 172-97-4. (Department of Human Resources) Referred to Finance Committee.

File 127-97-002. [Birth Certificate Fees] Ordinance amending Part III, Article 2 of the San Francisco Municipal Code (License Fees) by adding Section 249.16 to increase the fee for a certified copy of a birth certificate by three dollars (\$3.00), with the proceeds of this increase to be used to help fund dependency mediation in Juvenile Court. (Superior and Municipal Courts) Referred to Finance Committee.

#### Resolutions Referred to Committee

File 040-97-001. [Residential Parking Area "W", SFGH Area] Resolution extending the boundaries and revising time limitations for certain streets of Residential Permit Parking Area "W" in the San Francisco General Hospital area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services.

File 048-97-009. [Settlement of Claim, Linda Rogers] Resolution approving the settlement of the unlitigated claim of Linda Rogers by payment of \$6,000.00. (City Attorney) Referred to Rules Committee.

File 048-97-010. [Settlement of Claim, Liberty Mutual Group] Resolution approving the settlement of the unlitigated claim of Liberty Mutual Group by payment of \$7,417.02. (City Attorney) Referred to Rules Committee.

File 048-97-011. [Settlement of Claim, Thario Ithfan] Resolution approving the settlement of the unlitigated claim of Thario Ithfan by payment of \$5,545.03. (City Attorney) Referred to Rules Committee.

File 048-97-012. [Settlement of Claim, Federal Insurance Company] Resolution approving the settlement of the unlitigated claim of Federal Insurance Co. by payment of \$8,240.99. (City Attorney) Referred to Rules Committee.

File 064-97-003. [Transbay Terminal Lease] Resolution approving a lease between the Municipal Railway and the California Department of Transportation for the use of the upper deck of Transbay Terminal, and indemnifying the State of California. (Public Transportation Commission) Referred to Finance Committee.

File 146-97-001. [Innovations in American Government Awards] Resolution authorizing the Department of Public Health, to apply retroactively for three awards in a total amount of up to \$300,000, from the Ford Foundation and the John F. Kennedy School of Government at Harvard University, Innovations in American Government Program, for three projects; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 146-97-002. [State Grant] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for retroactively and accept and expend a grant up to \$50,000 which excludes indirect costs, from the State of California, Department of Alcohol and Drug Programs to provide mentoring to children and youth who are at greatest risk from drug abuse, violence, school dropout, teen pregnancy and other problems; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

Monday, February 3, 1997

File 147-97-001. [Grant, American Library/Microsoft Online Program] Resolution authorizing the San Francisco Public Library through the Friends of the San Francisco Public Library to accept and expend \$225,000 in cash and in-kind services to be awarded jointly by the American Library Association and Microsoft Corporation, as part of the Libraries Online Program to provide neighborhood access to telecommunications, multimedia and the graphical internet in three branch libraries; waiving indirect costs. (Public Library) Referred to Economic Development, Transportation/Technology Committee.

File 172-97-002. [Hold Harmless Agreement] Resolution authorizing the Chief of Police to execute a hold harmless agreement with the State of California concerning the conduction of investigative training by the San Francisco Police Department. (Police Commission) Referred to Finance Committee.

File 172-97-003. [Agreement, CCSF/Hill Financial Services, Inc.] Resolution authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County of San Francisco and HHL Financial Services, Inc. to provide uncompensated care recovery services. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 172-97-004. [Treasure Island Cooperative Agreement] Resolution approving and authorizing the City to enter into a cooperative agreement with the Navy whereby the City's Public Utilities Commission will assume certain responsibilities regarding the operation and maintenance of utilities on Treasure Island prior to the Navy's closure of Treasure Island on October 1, 1997 and the Navy will reimburse the City for the costs therefore; companion measure to Files 101-96-46 and 102-96-11. (Mayor Willie L. Brown, Jr.) Referred to Finance Committee.

File 214-97-001. [State Grant, Juvenile Probation] Resolution authorizing the San Francisco Juvenile Probation Department to retroactively apply for and to accept and expend \$41,760 in grant funds from the State of California Department of Youth Authority, for the implementation of a "Young Men as Fathers Program"; waiving indirect costs. (Juvenile Probation Department) Referred to Health, Family and Environment Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yee, that City Attorney prepare and approve as to form charter amendment which would allow probation officers with five years' service to be promoted to Senior Probation Officer (8442) as vacancies occur.

By Supervisor Ammiano, that City Attorney review, prepare and approve as to form draft omnibus ordinance providing for stronger ethical standards, reporting requirements and procedural regulations to protect the integrity of San Francisco's electoral and governmental processes based on draft legislation submitted.

By Supervisor Kaufman, that letter be sent on behalf of the entire Board of Supervisors to Ramona Albright offering her the Board's best wishes and hoping that she gets well soon.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Herb Caen (By the entire Board)  
Rosiland Delancey (By the entire Board)  
Wes Senzaki (By the entire Board)  
Julie Field (Supervisor Leal)

File 2-96-5

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 5:15 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, February 3, 1997

Approved by the Board of Supervisors on March 31, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, February 10, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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Volume 92

Number 6



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, February 10, 1997 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 8.

Noted absent at first roll call:

Supervisors Bierman, Yaki - 2.

Quorum present.

Supervisor Bierman was noted present at 2:03 p.m.

Supervisor Yaki excused. (See infra.)

Supervisor Yaki Excused

The Clerk stated Supervisor Yaki requested to be excused from attending today's meeting because of illness.

Thereupon, Supervisor Ammiano, seconded by Supervisor Teng, moved to excuse Supervisor Yaki from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 8.

Absent: Supervisors Bierman, Yaki - 2.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, December 16, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Grievance Settlement, Local 21]

Ordinance implementing settlement of a grievance filed pursuant to the Memorandum of Understanding between the City and County and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 providing for a step increase for provisional employees to be effective for the period July 1, 1995 through June 30, 1998. (Supervisor Ammiano)

File 93-96-33, Ordinance No. 43-97

(Fiscal Impact.)

Monday, February 10, 1997

Finally passed.

Passed for Second Reading

[Appropriation, Medical Examiner/Coroner]  
Ordinance appropriating \$90,732, Medical Examiner/Coroner, from the General Fund Reserve to purchase equipment for fiscal year 1996-97. (Controller)

File 101-96-38, Ordinance No.

Passed for second reading.

Recommendations of Rules Committee

Finally Passed

[Deedra Robinson v. CCSF et al.]  
Ordinance authorizing settlement of litigation of Deedra Robinson against the City and County by payment of \$9,000. (City Attorney)

File 45-97-2, Ordinance No. 44-97

(Municipal Court No. 123-430.)

Finally passed.

[Frederic N. Fremy v. CCSF et al.]  
Ordinance authorizing settlement of litigation of Frederic N. Fremy against the City and County by payment of \$15,000. (City Attorney)

File 45-97-3, Ordinance No. 45-97

(Superior Court No. 973-839.)

Finally passed.

[Don Alan v. CCSF]  
Ordinance authorizing settlement of litigation of Don Alan v. City and County by payment of \$70,000. (City Attorney)

File 45-97-4, Ordinance No. 46-97

(Superior Court No. 977-113.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Findings - 1515 Taraval]  
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 96.453C, for the installation of a total of six antennas on the roof and a base transceiver station in the garage of an existing four-story mixed use (residential/commercial) district and a 65-A height and bulk district, pursuant to Section 711.83 of the Planning Code, on property located at 1515 Taraval Street, south side between 25th and 26th Avenues (Lot 50 in Assessor's Block 2400). (Clerk of the Board)

File 37-97-1.4



Monday, February 10, 1997

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

Recommendations of Budget Committee

Finally Passed

[Cable Television Franchise Amendments]  
Ordinance amending Ordinance Number 105-64, as amended by Ordinances No. 528-88, 315-89, 375-90 and 42-91, by amending all sections, including deleting Section 19 and Appendices 1 through 9, renumbering Sections 20 through 24 and adding new Sections 24, 25, 26, 27, 28, 29, 30, 31, and 32 and Appendices A through H, to clarify and expand the obligations of the grantee, Television Signal Corporation. (City Attorney)

File 32-96-1.4, Ordinance No. 42-97

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Teng - 6.

Noes: Supervisors Ammiano, Medina, Yee - 3.

Absent: Supervisor Yaki - 1.

Consideration Continued

[Permits, Specialized Motor Vehicles for Hire]  
Ordinance amending Police Code, by amending the definition of taxicab and adding new sections concerning regulation of specialized motor vehicles for hire (ramped taxis). (Police Commission)

File 121-96-14, Ordinance No.

(Fiscal Impact.)

(Amends Section 1076;  
Adds Sections 114B through 1148.5.)

(February 3, 1997 - Consideration continued to February 10, 1997.)

Supervisor Ammiano, seconded by Supervisor Katz, moved to continue consideration to February 18, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

[Permit Fees for Tow Car Firms/Ramped Taxicabs]  
Ordinance amending Police Code, relating to permit filing fees and permit license fees for tow car firms and ramped taxicabs (minivan taxicabs adapted for wheelchair users); companion measure to File 121-96-14. (Police Commission)

File 121-96-13, Ordinance No.

(Amends Sections 2.26, 2.27.)

(Fiscal Impact.)

(February 3, 1997 - Consideration continued to February 10, 1997.)

Supervisor Ammiano, seconded by Supervisor Katz, moved to continue consideration to February 18, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

Monday, February 10, 1997

From Budget Committee  
With Recommendation "DO PASS"

Finally Passed

[Special Election, June 3, 1997]

Ordinance calling and providing for a special election to be held in the City and County on Tuesday, June 3, 1997, provided that one or more measures is timely submitted to the voters of the City and County to be voted on at that election. (Clerk of the Board)

File 60-97-1, Ordinance No. 40-97

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

Recommendation of Government Efficiency and Labor Committee

Adopted

[Airport - United Air Lines, Inc. Lease]

Resolution approving retroactively, lease between United Air Lines, Inc. and the City and County, acting by and through its Airport Commission. (Airports Commission)

File 27-96-16, Resolution No. 131-97

(Fiscal Impact.)

(February 3, 1997 - Consideration continued to February 10, 1997.)

The representative from the Airport submitted Addendum No. 1 to the Ground Lease for Plot 7X and asked that it be included as part of the lease being adopted today and placed in the file.

The Clerk called the roll on the resolution approving the lease and the addendum to the lease and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

Recommendation of Rules Committee

Adopted

[Cable TV Franchise Confidential Communications]

Motion waiving the Attorney-Client privilege regarding the two cable television franchise confidential communications from the City Attorney's office for which the Board of Supervisors holds the attorney-client privilege, and directing the Clerk to place these documents in Board File No. 32-96-1.4. (Supervisors Ammiano, Katz, Yaki)

File 32-96-1.7

(February 3, 1997 - Consideration continued to February 10, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Public Defender]

Ordinance appropriating \$110,682, Public Defender, from General Fund Reserve to cover fiscal year 1996-97 for rental increase and telephone services. (Controller)

File 101-96-36, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

[Appropriation, Fire Department]

Ordinance rescinding and appropriating \$110,675, Fire Department, of a Fire Protection Bond capital project for the AWSS System to a capital project for the Hazard Mitigation grant for fiscal year 1996-97; placing \$25,000 on reserve. (Controller)

File 101-96-37, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

[Appropriation, Department of Public Health-Mental Health]

Ordinance appropriating \$100,000, Department of Public Health-Division of Mental Health, of State revenue to salaries, fringe benefits, travel, training, professional services, other current services, materials and supplies and equipment for the creation of one (1) position for a Suicide Prevention Program for fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-39, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

[Annual Salary Ordinance Amendment]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) Department of Public Health, Division of Mental Health, reflecting the creation of one (1) position; providing for ratification of action previously taken; companion measure to File 101-96-39. (Department of Human Resources)

File 102-96-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

[Appropriation, Art Commission]

Ordinance appropriating \$12,888, Art Commission, from the General Fund Reserve to facilities maintenance to restore a sculpture at St. Mary's Square in fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-40, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

[Special Election, Bond Propositions]

Ordinance calling and providing for a special election to be held in the City and County on Tuesday, June 3, 1997, for the purpose of submitting to voters of the City and County propositions to incur the following bonded debts for the acquisition, construction and/or reconstruction of (1) \$140,000,000 for educational facilities used or to be used by San Francisco Unified School District or the City College of San Francisco; (2) \$48,000,000 for Zoo facilities and properties; (3) \$49,000,000 for community cultural facilities which include such facilities as the Mission Cultural Center, Bayview Opera House, Center for African and African-American Art and Culture, South of Market Cultural Center, Art Commission Gallery, Gay/Lesbian Cultural Center, Native American Cultural Center and the Center for Asian Pacific American Arts and Culture; and that the estimated cost of said projects is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than amount allowed by the annual tax levy; reciting estimated costs of

Monday, February 10, 1997

such projects; fixing date of election and manner of holding such election and procedure for voting for or against the propositions; fixing the maximum rate of interest on said bonds and providing for levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; consolidating the special election with citywide June 3rd special election; and providing that the election precincts, voting places and officers for election shall be the same as for the citywide June 3rd special election. (Supervisors Yaki, Teng)

File 60-97-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair so the President could participate in the debate from the floor.

[Credit, Debit, ATM Cards]

Ordinance amending Administrative Code, by repealing and adding the provisions of Sections 10.11-2 through 10.11-4 to Section 10.11-1, authorizing various commissions and departments to accept payments by credit card or ATM card, by adding definitions for credit, debit and ATM cards, by authorizing the Treasurer/tax Collector to accept credit, debit and ATM cards for the payment of taxes and other related fees and charges; authorizing various commissions and departments to accept payments by credit card or ATM card. (Supervisors Kaufman, Teng)

File 97-97-5, Ordinance No.

(Amends Section 10.11-1;

Repeals Sections 10.11-2 through 10.11-4.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

The President resumed the Chair.

Adopted

[Health Service System Contributions]

Resolution establishing the contribution to be made to the Health Service System by City and County, Unified School District and Community College District for fiscal year 1997-98. (Department of Human Resources-Health Service System)

File 78-97-1, Resolution No. 144-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

[Trial Court Funding, 1997-1998]

Resolution electing to become subject to the provisions of the State Trial Court Funding Program for the period of July 1, 1997, through June 30, 1998. (Controller)

File 187-97-1, Resolution No. 146-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

From Rules Committee with Recommendation "Do Submit"

(Pursuant to the provisions of Rule 2.33.7 of the Board's Rules of Order, at least seven days must

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intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

Consideration Continued

[Charter Amendment, Public Utilities Commission]

Charter amendment (First Draft) amending Section 16.103 to delete the priority schedule for the expenditure of revenues generated from utilities under jurisdiction of the Public Utilities Commission. (Supervisor Kaufman)

File 280-96-1

Supervisor Teng, seconded by Supervisor Brown, moved to continue consideration to February 18, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

Recommendations of Economic Development, Transportation  
and Technology Committee

Adopted

[PIC 1996 Refugee County Plan Modification]

Resolution requesting approval of modifications to the Refugee County Plan to incorporate Targeted Assistance Discretionary Grant funds and rollover funds from Federal Fiscal Year 1995; approving expenditure of such funds retroactively. (Private Industry Council)

File 156-96-3, Resolution No. 132-97

Supervisor Brown Excused from Voting

The Clerk announced that Supervisor Brown requested to be excused from voting because of a possible conflict of interest.

Supervisor Ammiano, seconded by Supervisor Bierman, moved to excuse Supervisor Brown from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yee - 8.

Excused: Supervisor Brown - 1.

Absent: Supervisor Yaki - 1.

[Project Area Committee]

Resolution confirming the election of members to the Project Area Committee for the South Bayshore/Hunters Point Redevelopment Agency Project Area. (Redevelopment Agency)

File 161-97-1, Resolution No. 145-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

Conference with City Attorney - Litigation

Tabled

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1)

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City and County of San Francisco, et al. v. Philip Morris, Inc., et al., United States District Court, N.D. Cal., Civil Action No. C-96-2090 DLJ and (2) The People of the State of California, et al. v. Philip Morris, Inc., et al., San Francisco Superior Court, Case No. 980864 as permitted by Government Code Section 54956.9(a).

The Clerk stated the City Attorney will not be available for the closed session.

Supervisor Teng, seconded by Supervisor Medina, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yee - 8.

Absent: Supervisors Leal, Yaki - 2.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboriae P. Smoore, constitution for poor;  
Jim Brown, oppose changing name of Fillmore Street;  
Aja Monet, transbay terminal;  
Male speaker, police ethnic breakdown report;  
Neil Patrick, base conversion, job training;  
Mohamad Al Kareem, street name change;  
Willie Bright, street name change;  
Huel Washington, street name change;  
Milton Hanks.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

The President resumed the Chair.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

#### Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measures be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Edgehill Way Safety Emergency]

Resolution supporting the efforts of the Departments of Building Inspection and Public Works in responding to the emergency conditions in and around Edgehill Way and demanding that the developers of the Knockash Hill Subdivision assume their responsibility for abating the emergency conditions. (Supervisors Teng, Bierman, Katz, Medina, Leal)

File 28-97-1.3, Resolution No. 141-97

(February 3, 1997 - Introduced in Board for consideration on February 10, 1997.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Teng, Yee - 7.

Absent: Supervisors Ammiano, Katz, Yaki - 3.

In connection with the above item, Supervisors Katz, Medina, and Leal requested to be added as co-sponsors.

[Edgehill Way Emergency Authorization]

Resolution concurring with and supporting the Director of the Department of Building Inspection's finding and declaration of a public emergency; urging said Director to take necessary measures in the most expeditious manner to protect the public safety, health, welfare and property of the citizens of

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San Francisco with regard to the dangerous condition created by the property at 305 Edgehill Way; and to authorize the Director of the Department of Building Inspection and the Director of Public Works to enter into agreements of indemnity based on this and previous Board-declared emergency at Edgehill Way. (Supervisors Teng, Bierman, Katz, Medina, Leal)

File 28-97-1.4, Resolution No. 142-97

(February 3, 1997 - Introduced in Board for consideration on February 10, 1997.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Teng, Yee - 7.

Absent: Supervisors Ammiano, Katz, Yaki - 3.

In connection with the above item, Supervisors Katz, Medina, and Leal requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Day of Remembrance]

Resolution commemorating the Day of Remembrance 1997 and declaring February 22, 1997 as "Adios to Tears Day" in San Francisco. (Supervisors Teng, Yaki, Leal, Medina, Ammiano, Bierman, Brown, Katz, Kaufman, Yee)

File 4-97-5, Resolution No. 133-97

(February 3, 1997 - Introduced in Board for consideration on February 10, 1997.)

Adopted.

[Commend Jose Caedo]

Resolution commending Jose Caedo for his long service to the citizens of San Francisco, especially members of the senior and disabled communities. (Supervisors Yaki, Teng, Bierman)

File 6-97-15, Resolution No. 134-97

(February 3, 1997 - Introduced in Board for consideration on February 10, 1997.)

Adopted.

In connection with the above item, Supervisors Teng and Bierman requested to be added as co-sponsors.

[Commend Theodore Hsien Wang]

Resolution commending Theodore Hsien Wang for his lifelong commitment to civil rights. (Supervisors Yee, Teng, Bierman)

File 6-97-16, Resolution No. 135-97

(February 3, 1997 - Introduced in Board for consideration on February 10, 1997.)

Adopted.

[Commend Laura Wagner-Lockwood]

Resolution commending Laura Wagner-Lockwood for her years of distinguished service as Public Finance Director of the City and County and her many contributions to the City and County. (Supervisors Kaufman, Teng, Bierman)

File 6-97-17, Resolution No. 136-97

(February 3, 1997 - Introduced in Board for consideration on February 10, 1997.)

Adopted.

In connection with the above item, Supervisors Teng and Bierman requested to be added as co-sponsors.

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[Commend Coalition of Black Trade Unionists]

Resolution commending the Coalition of Black Trade Unionists and declaring February 14, 1997 as "Northern California Coalition of Black Trade Unionists Day" in San Francisco. (Supervisors Teng, Brown, Medina, Ammiano, Bierman, Katz, Kaufman, Leal, Yaki, Yee)

File 6-97-18, Resolution No. 137-97

(February 3, 1997 - Introduced in Board for consideration on February 10, 1997.)

Adopted.

[Bloody Sunday Inquiry]

Resolution urging the Government of Great Britain to hold a new inquiry into the killing of fourteen civil rights marchers by British Paratroopers (January 30, 1972, "Bloody Sunday"). (Supervisors Ammiano, Bierman, Teng, Brown, Katz, Medina, Leal)

File 13-97-3, Resolution No. 140-97

(February 3, 1997 - Introduced in Board for consideration on February 10, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, and Leal requested to be added as co-sponsors.

[December Winter Storm 1996 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 Storm. (Supervisor Kaufman)

File 270-97-1.2

(February 3, 1997 - Introduced in Board for consideration on February 10, 1997.)

Adopted.

[Suspend 30 Day Rule - 49ers Lease-Finance Bond]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, a proposed resolution submitting a ballot proposition for the June 3, 1997 election which would authorize the City to lease-finance a stadium development at Candlestick Point. (Supervisor Kaufman)

File 60-97-3.1

(February 5, 1997 - Referred to Board for consideration on February 10, 1997.)

Adopted.

[Final Map]

Motion approving, subject to condition of payment of taxes, final map of Amancio Ergina Village, 1977-1979 O'Farrell Street, 1310-1350 Scott Street, and 1804-1864 Ellis Street, being a merger and resubdivision of a stock cooperative project to a residential condominium project, being a portion of Assessor's Block 728 and a portion of Western Addition Block No. 430. (Department of Public Works)

File 58-97-1

(February 5, 1997 - Referred to Board for consideration on February 10, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yee - 9.

Absent: Supervisor Yaki - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the



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Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Teng, Yee - 7.

Absent: Supervisors Ammiano, Katz, Yaki - 3.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Teng, Yee - 7.

Absent: Supervisors Ammiano, Katz, Yaki - 3.

[Imperative Resolutions]

Adopted

[Commend Lt. Sharon Hedges-Hiller]

Resolution commending Lt. Sharon Hedges-Hiller on being awarded the "My Favorite Cop" award.

File 006-97-021, Resolution No. 138-97

Supervisors Medina, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Teng, Yee - 7.

Absent: Supervisors Ammiano, Katz, Yaki - 3.

[Commend Officer Lorraine Lombardo]

Resolution commending Officer Lorraine Lombardo on being awarded the "My Favorite Cop" award.

File 006-97-022, Resolution No. 139-97

Supervisors Medina, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Teng, Yee - 7.

Absent: Supervisors Ammiano, Katz, Yaki - 3.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Veterans Affairs Commission]

Ordinance amending Administrative Code Section 5.102, which sets forth the membership criteria for the Veterans Affairs Commission, by deleting certain membership criteria for persons who served in the United States Armed Forces prior to 1941, 1950, 1964, 1975 and after 1975, and who are "stress disabled" and by replacing such membership designations to require only that at least three members of the commission be women veterans and that at least one be physically disabled as a result of service. Supervisor Kaufman presented. Referred to Rules Committee with request it be considered at the

February 25, 1997 meeting.

File 097-97-007.

[Bicycle Parking Facilities]

Ordinance amending Planning Code Section 155.1 to require City leases, when City is leasing space in a building, to include a provision giving City the right to install bicycle parking facilities in the building, and making findings of consistency with the priority policies of Planning Code Section 101.1. Supervisors Katz, Ammiano, Teng presented. Referred to Economic Development, Transportation and Technology Committee.

File 115-97-003.

[Merger of Lots, 2150 and 2168 10th Avenue]

Ordinance enacting an ordinance to provide for the merger of Lots 12 and 13 of Block 2208 (2150 and 2168 10th Avenue, respectively) in the City and County pursuant to California Government Code Sections 66451.11 et seq. (Companion measure to File 226-97-1.) Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 226-97-002.

Referred to Board

[Commend International Fair/U.S.-China Friendship]

Resolution commending the International Fair and the U.S.-China Friendship City Network for sponsoring the First San Francisco International Festival of Chinese Cuisine Competition. Supervisors Yee, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 18, 1997.

File 006-97-019.

[Commend William Hong Chin]

Resolution commending Mr. William (Bill) Hong Chin for his lifelong contributions and extending condolences to his family: his wife Anna Chin and children Curtis Chin and Kelly Ann Chin and declaring February 12, 1997 as "William Chin Day" otherwise known as "Bill Chin Day". Supervisors Teng, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar February 18, 1997.

File 006-97-020.

Referred to Committee

[Interim Zoning Controls, Castro/Market Streets]

Resolution imposing Interim Zoning Controls to temporarily prohibit new retail coffee stores in the Castro Street and Upper Market Street Neighborhood Commercial Districts, as set forth in Planning Code Sections 715.1 and 721.1, respectively, for an eighteen (18) month period and making a finding of consistency with the priority policies of Planning Code Section 101.1. Supervisors Katz, Leal, Ammiano, Kaufman, Teng, Yee, Medina presented. Referred to Housing and Neighborhood Services Committee.

File 111-97-002.

Referred to Board

[Newsrack Pilot Project]

Resolution urging the Department of Public Works to negotiate a contract with a vendor or vendors to develop and implement a pilot program to place state-of-the-art newsracks at one or more locations to be specified by the Mayor and the Director of Public Works for a trial period not to exceed six months. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar February 18, 1997.

File 200-97-002.

Referred to Committee

[Lot Merger Notice of Intent, 2150/2168 10th Avenue]

Resolution declaring San Francisco's intention to adopt a merger ordinance pursuant to California Government Code Section 66451.11; declaring this resolution the City and County's Notice of Intention to determine status for the proposed merger of Lots 12 and 13 of Block 2208 (2150 and 2168 10th Avenue, respectively); establishing a hearing date to consider adopting a merger ordinance; and authorizing other official actions in connection therewith. (Companion measure to File 226-97-2.) Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 226-97-001.

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Requests for Hearings:

[Municipal Railway System Safety Measures]

Hearing to consider concerns of riders of Municipal Railway regarding passenger safety and to obtain information as to what safety measures are currently in force to protect the riders. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 007-97-003.

[Public Safety, Municipal Railway]

Hearing to assess safety on Municipal Railway buses including a review of the efficacy of cameras on the buses in deterring crime, police visibility during high crime hours, the emergency response system and feasibility of installing electronic tracking devices on the buses to aid in the immediate response by police. Supervisors Medina, Yee presented. Referred to Economic Development, Transportation and Technology Committee.

File 007-97-004.

[Street Name Change, Fillmore to Goodlett Way]

Hearing to consider the possibility of changing the name of Fillmore Street to Goodlett Way. Supervisors Brown, Bierman, Medina, Ammiano, Yee presented. Referred to Economic Development, Transportation and Technology Committee.

File 075-97-001.

[Bank of America Ocean-Faxon Branch]

Hearing to consider the economic impact to the surrounding neighborhood by the pending closure of the Bank of America Ocean-Faxon Branch (1649 Ocean Avenue). Supervisors Medina, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 227-97-001.

Motions:

Referred to Committee

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar February 18, 1997.

File 030-97-001.02.

[Management Audit, San Francisco Zoo]

Motion directing the Budget Analyst to conduct a report of the San Francisco Zoo to determine the financial surplus at the Zoo and the amount of money, if any, from that surplus which may be available to the General Fund. Supervisors Ammiano, Yee, Leal, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar February 18, 1997.

File 165-97-002.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-97-003. [Sidewalk Width Regulations, Lucerne Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1538 changing the official sidewalk width on the north side of Lucerne Street southeasterly of Brannan Street, as shown on the Department of Public Works drawing labeled Q-20-473 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 045-97-014. [Sandra McCabe v. CCSF, et al.] Ordinance authorizing settlement of litigation of Sandra McCabe against the City and County of San Francisco by payment of \$12,500. (Superior Court No. 970-169) (City Attorney) Referred to Rules Committee.

File 045-97-015. [Roberto Flores v. CCSF, et al.] Ordinance authorizing settlement of litigation of Roberto Flores against the City and County of San Francisco by payment of \$6,500. (Superior Court No. 964-282) (City Attorney) Referred to Rules Committee.

File 045-97-016. [Donna Gamboni v. CCSF, et al.] Ordinance authorizing settlement of litigation of Donna Gamboni against the City and County of San Francisco by payment of \$11,000. (Municipal Court No. 118-486) (City Attorney) Referred to Rules Committee.

File 045-97-017. [Fee Yee Yang Ng v. CCSF] Ordinance authorizing settlement of litigation of Feng Yee Yang Ng against the City and County of San Francisco by payment of \$11,500. (Superior Court No. 959-571) (City Attorney) Referred to Rules Committee.

File 045-97-018. [Heather Connor/Jason Jessee v. CCSF et al.] Ordinance authorizing settlement of litigation of Heather Connor and Jason Jessee against the City and County of San Francisco by payment of \$70,000, total to both plaintiffs. (Superior Court No. 958-718) (City Attorney) Referred to Rules Committee.

File 124-97-001. [Vehicle Weight Restrictions, Blanken/Tunnel Ave.] Ordinance amending Traffic Code by adding Sections 28.1.96 and 28.1.97 and amending Section 28.2 regarding the weight restrictions on Blanken and Tunnel Avenues. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

#### Resolutions Referred to Committee

File 018-97-001. [Stop Intersections] Resolution designating certain intersections as "Stop" intersections. DPT Order No. 1233. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 019-97-001. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1233. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 020-97-001. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1233. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 040-97-002. [Residential Parking Area "U", South of Market] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 048-97-005. [Settlement of Claim, Cecelia E. Chase] Resolution approving the settlement of the unlitigated claim of Cecelia E. Chase by payment of \$7,500.00. (City Attorney) Referred to Rules Committee.

File 048-97-006. [Settlement of Claim, Jeffrey Hornback] Resolution approving the settlement of the unlitigated claim of Jeffrey Hornback by payment of \$10,000.00. (City Attorney) Referred to Rules Committee.

File 048-97-007. [Settlement of Claim, Fatima Maru] Resolution approving the settlement of the unlitigated claim of Fatima Maru by payment of \$6,500.00. (City Attorney) Referred to Rules Committee.

File 048-97-008. [Settlement of Claim, Dennys Rodriguez] Resolution approving the settlement of the unlitigated claim of Dennys Rodriguez by payment of \$10,500.00. (City Attorney) Referred to Rules Committee.

File 048-97-013. [Settlement of Claim, Michelle Alexander] Resolution approving the settlement of the unlitigated claim of Michelle Alexander by payment of \$30,000.00. (City Attorney) Referred to Rules Committee.

File 065-97-001. [Bay Area Cellular Telephone Co. Transmitter Lease] Resolution authorizing and approving a lease of wireless transmitter and antennae space within and on Laguna Honda Hospital to Bay Area Cellular Telephone Company, without competitive bidding. (Real Estate Department) Referred to Finance Committee.

File 068-97-001. [Local Law Enforcement Block Grant Program] Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend a grant in the amount of \$2,764,665 from the U.S. Department of Justice to administer the Local Law Enforcement Block Grant Program, and waiving indirect costs. (Mayor Willie L. Brown, Jr.) Referred to Housing and Neighborhood Services Committee.

File 092-97-003. [Appointment, Health Authority Governing Body] Resolution appointing governing body members to the San Francisco Health Authority. (S.F. Health Authority) Referred to Rules Committee with request it be considered at the February 11, 1997 meeting.

File 146-97-003. [State Grant, Community Violence Prevention] Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend a grant of \$750,000, which includes \$12,538 in indirect costs, based on 10% of salaries, and a match in the amount of \$27,438, which is 3.7% of the direct costs, from the State Department of Social Services, to provide

Monday, February 10, 1997

collaborative efforts for providing alternatives to violence in the community. (Department of Public Health) Referred to Health, Family and Environment Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter be sent to his Honor, the Mayor, concerning police accountability and requesting procedures for the Office of Citizen Complaints and the Police Department to implement satisfactory policies regarding this issue.

By Supervisor Teng, that letter be sent to the Mayor's Office of Housing requesting an inventory report of San Francisco's residential housing stock to include but not be limited to the total number of units in the City, a breakdown of these units into rental units and home owners, and a breakdown into single, duplexes, 3, 4, 5, 6 and multi-unit apartment buildings and that the report be submitted in thirty days.

By Supervisor Teng, that letter be sent to Director of Public Works to determine whether a survey has been conducted and a list compiled of all unaccepted streets in the City including the background of each street and why the street was not accepted by the Department of Public Works and requesting the report be submitted in thirty days.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Virginia Mary Ellen McCarthy (By the entire Board)  
Ronald Wilmot (Supervisors Katz, Leal)  
Redmond Mulkerrins (Supervisor Ammiano)  
Alan Lim (Supervisor Teng)

File 2-96-6

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:30 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 31, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Tuesday, February 18, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Tuesday, February 18, 1997 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Kaufman, Leal, Newsom, Yaki, Yee - 6.

Noted absent at first roll call:

Supervisors Bierman, Brown, Katz, Medina, Teng - 5.

Quorum present.

Supervisor Bierman was noted present at 2:01 p.m.

Supervisor Brown was noted present at 2:01 p.m.

Supervisor Katz was noted present at 2:02 p.m.

Supervisor Medina excused. (See infra.)

Supervisor Teng was noted present at 2:52 p.m.

Supervisor Medina Excused

The Clerk stated Supervisor Medina requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Newsom, moved to excuse Supervisor Medina from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Kaufman, Leal, Newsom, Yaki, Yee - 6.

Absent: Supervisors Bierman, Brown, Katz, Medina, Teng - 5.

COMMUNICATION

Appointment of Gavin Newsom

The Clerk announced he received communication from the Honorable Mayor Willie L. Brown, Jr., indicating he has appointed Gavin C. Newsom as Supervisor, succeeding vice Kevin Shelley, for term ending January 8, 1999, and Mr. Newsom took the oath of office on February 13, 1997.

The Clerk indicated he received communication from the Controller certifying that the required bond has been filed.

The members of the Board of Supervisors welcomed Supervisor Newsom.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Public Defender]

Ordinance appropriating \$110,682, Public Defender, from General Fund Reserve to cover fiscal year 1996-97 for rental increase and telephone services. (Controller)

File 101-96-36, Ordinance No. 47-97

Finally passed.

[Appropriation, Fire Department]

Ordinance rescinding and appropriating \$110,675, Fire Department, of a Fire Protection Bond capital project for the AWSS System to a capital project for the Hazard Mitigation grant for fiscal year 1996-97; placing \$25,000 on reserve. (Controller)

File 101-96-37, Ordinance No. 48-97

Finally passed.

[Appropriation, Medical Examiner/Coroner]

Ordinance appropriating \$90,732, Medical Examiner/Coroner, from the General Fund Reserve to purchase equipment for fiscal year 1996-97. (Controller)

File 101-96-38, Ordinance No. 49-97

Finally passed.

[Appropriation, Department of Public Health-Mental Health]

Ordinance appropriating \$100,000, Department of Public Health-Division of Mental Health, of State revenue to salaries, fringe benefits, travel, training, professional services, other current services, materials and supplies and equipment for the creation of one (1) position for a Suicide Prevention Program for fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-39, Ordinance No. 50-97

Finally passed.

[Annual Salary Ordinance Amendment]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) Department of Public Health, Division of Mental Health, reflecting the creation of one (1) position; providing for ratification of action previously taken; companion measure to File 101-96-39. (Department of Human Resources)

File 102-96-8, Ordinance No. 52-97

Finally passed.

[Appropriation, Art Commission]

Ordinance appropriating \$12,888, Art Commission, from the General Reserve to facilities maintenance to restore a sculpture at St. Mary's Square in fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-40, Ordinance No. 51-97

Finally passed.

[Credit, Debit, ATM Cards]

Ordinance amending Administrative Code, by repealing and adding the provisions of Sections 10.11-2 through 10.11-4 to Section 10.11-1, authorizing various commissions and departments to accept payments by credit card or ATM card, by adding definitions for credit, debit and ATM cards, by authorizing the Treasurer/tax Collector to accept credit cards, debit cards and ATM cards for the payment of taxes and other related fees and charges; authorizing various commissions and departments to accept payments by credit card or ATM cards. (Supervisors Kaufman, Teng)

File 97-97-5, Ordinance No. 53-97

(Amends Section 10.11-1;  
Repeals Sections 10.11-2 through 10.11-4.)

Finally passed.

Adopted

[Prop J Contract, Janitorial Services]

Resolution concurring with the Controller's certification that janitorial services for the Port can be practically performed by a private contractor at lower cost than by City and County employees. (Port)

File 25-96-1, Resolution No. 166-97

Adopted.

[SDI Coverage, Classification 9146]

Resolution authorizing enrollment of Classification 9146 Manager, Elderly and Handicapped Programs in the State Disability Insurance Program. (Department of Human Resources)

File 89-97-2, Resolution No. 159-97

Adopted.

Recommendations of Rules Committee

Passed for Second Reading

[Grove v. CCSF, et al.]

Ordinance authorizing settlement of litigation in the matter entitled Grove v. City and County by payment of \$281,500 or alternatively, \$225,000. (City Attorney)

File 45-97-5, Ordinance No.

(Superior Court No. 970-196.)

Passed for second reading.

[Karen Chan, June Lee et al. v. CCSF]

Ordinance authorizing settlement of litigation of Karen Chan, June Lee, and Fook Shiu Lee v. City and County by payment of \$275,000. (City Attorney)

File 45-97-6, Ordinance No.

(Superior Court No. 977-255.)

Passed for second reading.

[San Coc Duong v. CCSF et al.]

Ordinance authorizing settlement of litigation of San Coc Duong against the City and County by payment of \$9,382. (City Attorney)

File 45-97-7, Ordinance No.

(Superior Court No. 966-554.)

Passed for second reading.

[Jessie Harjani et al. v. CCSF et al.]

Ordinance authorizing settlement of litigation of Jessie Harjani, Martin Harjani, Martin Leung and Mat-Kit Leung against the City and County by payment of \$7,500. (City Attorney)

File 45-97-8, Ordinance No.

(Municipal Court No. 125-870.)

Passed for second reading.

[Hadley Auto Transport, Inc. v. CCSF et al.]

Ordinance authorizing settlement of litigation of Hadley Auto Transport, Inc. against the City and County by payment of \$48,360.53. (City Attorney)

File 45-97-9, Ordinance No.

(Superior Court No. 974-590.)

Passed for second reading.

[Marga Myers et al., v. CCSF et al.]

Ordinance authorizing settlement of litigation of Marga Myers against the City and County by payment of \$10,000. (City Attorney)

File 45-97-10, Ordinance No.

(Superior Court No. 980-293.)

Passed for second reading.

[Yvette Jordan-Batiste v. CCSF et al.]

Ordinance authorizing settlement of litigation of Yvette Jordan-Batiste against the City and County by payment of \$12,500. (City Attorney)

File 45-97-11, Ordinance No.

(Superior Court No. 977-102.)

Passed for second reading.

[Baeza v. CCSF et al.]

Ordinance authorizing settlement of the litigation of Baeza v. City and County, et al. by making a binding offer in the amount of One Hundred and Eighty Five Thousand Dollars (\$185,000) pursuant to Federal Rule of Civil Procedure 68. (City Attorney)

File 45-97-12, Ordinance No.

(USDC Case No. C-93-3130 DLJ, Case No. C-96-1240 DLJ, Consolidated.)

Passed for second reading.

[Morene Meek v. CCSF et al.]

Ordinance authorizing settlement of litigation of Morene Meek against the City and County by payment of \$6,500. (City Attorney)

File 45-97-13, Ordinance No.

(Superior Court No. 970-243.)

Passed for second reading.

[CCSF v. Pierre Merkl and David Baross]

Ordinance authorizing settlement of litigation by the City and County against Pierre Merkl and David Baross by accepting the payment of \$22,000. (City Attorney)

File 46-97-1, Ordinance No.

(Superior Court No. 972-405.)

Passed for second reading.

Adopted

[Settlement of Claim, Linda Rogers]

Resolution approving the settlement of the unlitigated claim of Linda Rogers by payment of \$6,000.00. (City Attorney)

File 48-97-9, Resolution No. 153-97

Adopted.

[Settlement of Claim, Liberty Mutual Group]

Resolution approving the settlement of the unlitigated claim of Liberty Mutual Group by payment of \$7,417.02. (City Attorney)

File 48-97-10, Resolution No. 154-97

Adopted.

[Settlement of Claim, Thario Ithfan]

Resolution approving the settlement of the unlitigated claim of Thario Ithfan by payment of \$5,545.03. (City Attorney)

File 48-97-11, Resolution No. 155-97

Adopted.

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[Settlement of Claim, Federal Insurance Company]

Resolution approving the settlement of the unlitigated claim of Federal Insurance Co. by payment of \$8,240.99. (City Attorney)

File 48-97-12, Resolution No. 156-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendations of Budget Committee

Passed for Second Reading

[Permits, Specialized Motor Vehicles for Hire]

Ordinance amending Police Code, by amending the definition of taxicab and adding new sections concerning regulation of specialized motor vehicles for hire (ramped taxis). (Police Commission)

File 121-96-14, Ordinance No.

(Fiscal Impact.)

(Amends Section 1076;  
Adds Sections 1148 through 1148.5.)

(February 10, 1997 - Consideration continued to February 18, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

[Permit Fees for Tow Car Firms/Ramped Taxicabs]

Ordinance amending Police Code, relating to permit filing fees and permit license fees for tow car firms and ramped taxicabs (minivan taxicabs adapted for wheelchair users); companion measure to File 121-96-14. (Police Commission)

File 121-96-13, Ordinance No.

(Amends Sections 2.26, 2.27.)

(Fiscal Impact.)

(February 10, 1997 - Consideration continued to February 18, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

#### Recommendation of Finance Committee

Finally Passed

[Special Election, Bond Propositions]

Ordinance calling and providing for a special election to be held in the City and County on Tuesday, June 3, 1997, for the purpose of submitting to voters of the City and County propositions to incur the following bonded debts for the acquisition, construction and/or reconstruction of (1) \$140,000,000 for educational facilities used or to be used by San Francisco Unified School District or the City College of San Francisco; (2) \$48,000,000 for Zoo facilities and properties; (3) \$49,000,000 for community

cultural facilities which include such facilities as the Mission Cultural Center, Bayview Opera House, Center for African and African-American Art and Culture, South of Market Cultural Center, Art Commission Gallery, Gay/Lesbian Cultural Center, Native American Cultural Center and the Center for Asian Pacific American Arts and Culture; and that the estimated cost of said projects is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than amount allowed by the annual tax levy; reciting estimated costs of such projects; fixing date of election and manner of holding such election and procedure for voting for or against the propositions; fixing the maximum rate of interest on said bonds and providing for levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; consolidating the special election with citywide June 3rd special election; and providing that the election precincts, voting places and officers for election shall be the same as for the citywide June 3rd special election. (Supervisor Yaki)

File 60-97-2, Ordinance No. 41-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

From Rules Committee with Recommendation "Do Submit"

Ordered Submitted

[Charter Amendment, Public Utilities Commission]

Charter amendment (First Draft) amending Section 16.103 to delete the priority schedule for the expenditure of revenues generated from utilities under jurisdiction of the Public Utilities Commission. (Supervisor Kaufman)

File 280-96-1

(February 10, 1997 - Consideration continued to February 18, 1997.)

Ordered submitted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

#### NEW BUSINESS

#### Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Art Commission]

Ordinance appropriating \$15,000, Art Commission, of Public Art Fund Revenue, to salaries and fringe benefits for the creation of one (1) position for fiscal year 1996-97. (Controller)

File 101-96-43, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

[Salary Ordinance Amendment, Art Commission]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) reflecting the creation of one (1) position (Class 1312 Public Information Officer), at the Art Commission; companion measure to File 101-96-43. (Department of Human Resources)

File 102-96-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$294,503, Recreation and Park Department, from the General Fund Reserve to purchase golf equipment for fiscal year 1996-97. (Controller)

Tuesday, February 18, 1997

File 101-96-44, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

Adopted

[Bayview Hill Open Space]

Resolution finding that purchase of 15.884 acres on Bayview Hill for open space is categorically exempt from environmental review and in conformity with the Master Plan (Assessor's Block 4991, Lots 29, 31, 32, 33, 34, 38 and 44). (Supervisor Bierman)

File 84-97-1, Resolution No. 157-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

Passed for Second Reading

[Open Space, Bayview Hill]

Ordinance authorizing purchase of a portion of Assessor's Block 4991, Lots 29, 31, 32, 33, 34, 38 and 44 consisting of 15.884 acres on Bayview Hill for open space for \$2,600,000; companion measure to File 84-97-1. (Supervisor Bierman)

File 84-97-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

Adopted

[Final Environmental Impact Report]

Resolution finding and determining that the proposed South of Market Redevelopment Plan Amendment, File No. 94.670E, will have significant impacts on the environment, and adopting and incorporating findings of Final Environmental Impact Report, pursuant to the California Environmental Quality Act. (Planning Department)

File 271-97-1, Resolution No. 164-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

[Amendment to the San Francisco General Plan]

Resolution adopting amendments to the San Francisco General Plan in order to designate the Bessie Carmichael School site (Lot 16 in Assessor's Block 3754) and Sherman Way, between Cleveland and Harrison Streets, as proposed public open space and finding that acquisition of property located at 349-365 Seventh Street and 45 Cleveland Street (Lots 62-64 in Assessor's Block 3754) by the City and County of San Francisco, transfer of said property to the San Francisco Unified School District for creation of a public school and transfer of the Bessie Carmichael School site from the San Francisco Unified School District to the City and County of San Francisco for creation of a public park is consistent with the General Plan. (Planning Department)

File 271-97-1.1, Resolution No. 165-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

[Exchange of Real Property]

Resolution authorizing the Director of Property to enter into an agreement with the San Francisco Unified School District for the exchange of real property located at 349-365 - Seventh Street and 45 Cleveland Street for real property located at 55 Sherman Street, which is currently the site of the Bessie Carmichael School; the payment of eight hundred thousand dollars (\$800,000) in Park and Open Space funds to the San Francisco Unified School District; and the lease back to the School District of the Bessie Carmichael School site for a maximum period of three years. (Real Estate Department)

File 172-97-1, Resolution No. 160-97

(Note: The exchange of property authorized by this Resolution is within the scope of the program approved by the Planning and Redevelopment Commissions January 23, 1997 and is adequately described in the South of Market Redevelopment Plan Amendment Final Environmental Impact Report.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

[Property Acquisition]

Resolution authorizing the Director of Property to exercise the City's rights under an option agreement to purchase real property located at 349-365 - Seventh Street and 45 Cleveland Street (McCormick Trust Property), and the additional payment of \$4,360,500 of San Francisco Park and Open Space funds therefor; companion measure to Files 271-97-1, 271-97-1.1, 172-97-1. (Real Estate Department)

File 84-97-2, Resolution No. 158-97

(Note: The acquisition of property authorized by this Resolution is within the scope of the program approved by the Planning and Redevelopment Commissions January 23, 1997 and is adequately described in the South of Market Redevelopment Plan Amendment Final Environmental Impact Report.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

[Treasure Island Cooperative Agreement]

Resolution approving and authorizing the City to enter into a cooperative agreement with the Navy whereby the City's Public Utilities Commission will assume certain responsibilities regarding the operation and maintenance of utilities on Treasure Island prior to the Navy's closure of Treasure Island on October 1, 1997 and the Navy will reimburse the City for the costs therefore. (Mayor Willie L. Brown, Jr.)

File 172-97-4, Resolution No. 161-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

Passed for Second Reading

[Appropriation, Public Utilities Commission]

Ordinance appropriating \$2,058,214, Public Utilities Commission, of Federal Revenue for salaries, fringe benefits, professional services, overhead, training, taxes, licenses and permits, other current expenses, materials and supplies, equipment lease purchase and services of other departments for the creation of twelve (12) positions at the Public Utilities Commission for costs incurred in taking over the operations and maintenance of the utility systems serving Treasure Island for fiscal year 1996-97. (Controller)

File 101-96-46, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.



[Salary Ordinance Amendment, PUC]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97), in the Public Utilities Commission and Department of Public Works reflecting the creation of twelve (12) positions to staff assumption of responsibility for utility operation and maintenance at Treasure Island; companion measure to Files 101-96-46 and 172-97-4. (Department of Human Resources)

File 102-96-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

[Lease Financing for 911 Center]

Ordinance rescinding Ordinance 208-94 (Citywide Radio System Lease Financing); approving a site lease agreement between the City and County of San Francisco ("City"), as lessor, and the City and County of San Francisco Finance Corporation ("Corporation"), as lessee, relating to a portion of Assessor's Block 759, Lot 1, known as the Margaret S. Hayward Playground ("Site"); approving a project lease agreement between the Corporation, as lessor, and the City, as lessee, of the 911 Dispatch Center to be constructed on the site (including certain indemnification provisions therein); approving an Agency Agreement between the Corporation and the City with respect to a 911 Dispatch Center to be used for City purposes; approving the issuance of Lease Revenue Bonds of the Corporation; approving a continuing Disclosure Agreement relating to said bonds; approving the circulation, execution and delivery of an Official Statement relating to said bonds; and providing for the execution of documents

in connection with and ratifying previous actions taken in connection with the foregoing matters. (Department of Administrative Services)

File 170-96-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

[Combined Emergency Communications Center]

Ordinance selecting and setting aside certain real property at 1003 Turk Street in the Margaret S. Hayward Playground, Assessor's Block 759, Lot 1, consisting of the following: (1) a subsurface 10-foot wide sewer line to service the new Combined Emergency Communications Center ("CECC"); (2) an emergency ingress and egress right-of-way to and from Octavia Street; and (3) an aerial encroachment area over the southern boundary of the property on which the new CECC shall be constructed; and amending Section 6 of Ordinance No. 80-96 to provide an elevation adjustment to allow for the construction of the underground parking structure for CECC. (Department of Administrative Services)

File 216-95-1.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

[Emergency Response Fee Amendments]

Ordinance amending Municipal Code, Part III, Article 10A, to increase the estimate of total project costs from \$57,851,000 to \$67,153,821 and to increase the cap on project costs eligible to be paid from Emergency Response Revenues from \$49 million to \$60 million. (City Attorney)

File 127-97-1, Ordinance No.

(Amends Sections 751, 752 and 756.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

[Appropriation, Department of Telecommunications]

Ordinance appropriating \$17,680,000, Department of Telecommunications, of Lease Revenue Bond proceeds for the construction of a Combined Emergency Communications Center (CECC), and to provide the

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Department of Administrative Services, City Attorney and Controller with costs of issuance for fiscal year 1996-97; placing the funds on reserve; companion measure to Files 170-96-10, 216-95-1.2, 127-97-1. (Controller)

File 101-96-41, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

Request Granted

At the request of Supervisor Leal, the Clerk was directed to send a letter to the Director of Administrative Services requesting he provide a report to the Board of Supervisors within 30 days on progress of coming up with one emergency response system as opposed to two different systems.

No objection and Clerk directed to comply.

Adopted as Amended

[Sports Stadium Bonds]

Resolution submitting a ballot proposition for the June 3, 1997 Special Election, authorizing the City to lease-finance a Stadium Development at Candlestick Point, in principal amount not exceeding \$100,000,000, provided no City taxes are increased or newly imposed without Proposition 218 voters approval; and finding the Lease-Revenue Bond Proposition is in conformity with the eight priority policies of Planning Code Section 101.1 and the City's General Plan. (Supervisor Brown)

File 60-97-3, Resolution No. 130-97

Supervisor Leal, seconded by Supervisor Bierman, moved an amendment of the whole bearing same title

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisor Medina, Teng - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

Adopted

[Transbay Terminal Lease]

Resolution approving a lease between the Municipal Railway and the California Department of Transportation for the use of the upper deck of Transbay Terminal, and indemnifying the State of California. (Public Transportation Commission)

File 64-97-3, Resolution No. 143-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

Recommendations of Housing and Neighborhood Services

Passed for Second Reading

[Changing Width of Sidewalk, Division Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the width of sidewalks" by adding thereto Section No. 1535 changing the official sidewalk width on the south side of Division Street between Florida Street and Bryant Street, as shown on the Department of Public Works drawing labeled Q-20-474 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-15, Ordinance No.

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Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

[Sidewalk Width Regulations, Market Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1536 changing the official sidewalk width on the south side of Market Street northeasterly of 7th Street, as shown on the Department of Public Works drawing labeled Q-20-467 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-97-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Medina, Teng - 3.

Adopted

[Department of Neighborhood Services]

Resolution urging the Department of Public Works to examine, as part of the program to create a Department of Neighborhood Services in San Francisco, the feasibility of developing and implementing one central telephone number for residents to call to access the Department of Neighborhood Services, including producing a feasibility study and an estimate of costs. (Supervisors Kaufman, Teng, Medina, Yee)

File 200-97-1, Resolution No. 162-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Medina, Teng - 3.

#### Recommendations of Rules Committee

Passed for Second Reading

[Conflict of Interest Code]

Ordinance amending Administrative Code, to add, delete, and change the titles of designated officials and employees, to reflect organizational and staffing changes made by the City since the conflict of interest was last reviewed; to refine the disclosure requirements applicable to some designated officials and employees; and to incorporate the new departments and new department names created by the 1996 Charter. (City Attorney)

File 97-96-66, Ordinance No.

(Amends Sections 58.6, 58.7, 58.110, 58.115, 58.130, 58.135, 58.145, 58.150, 58.155, 58.165, 58.180, 58.195, 58.198, 58.202, 58.210, 58.220, 58.245, 58.275, 58.280, 58.285, 58.290, 58.310, 58.320, 58.323, 58.325, 58.350, 58.357, 58.370, 58.382, 58.383, and 58.390; adds Sections 58.150, 58.198, and 58.201; and deletes Section 58.355.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Medina, Teng - 3.

[Connor v. CCSF et al.]

Ordinance authorizing settlement of the litigation of Connor v. City and County, et al., whereby City vacates portion of public street, accepts quitclaim deed from plaintiff and City grants easement to plaintiff. (Real Estate Department)

File 45-97-1, Ordinance No.

(Superior Court No. 971-879.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Medina, Teng - 3.

[Summary Street Vacation, Hickory Street]

Ordinance ordering summary street vacation of portions of Hickory Street located between Webster and Buchanan Streets; companion measure to File 45-97-1. (Real Estate Department)

File 164-97-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Medina, Teng - 3.

Adopted

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission, for unexpired portion of four-year term ending December 31, 1998. (Rules Committee)

File 92-96-52, Resolution No. 147-97

(James L. Howard, vice Belinda Fobbs-Johnson, Seat No. 21806, must have interest in and be knowledgeable regarding juvenile delinquency prevention, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Medina, Teng - 3.

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission, for new four-year term ending December 31, 2000. (Rules Committee)

File 92-96-58.2, Resolution No. 148-97

(Sharon Hoff, Seat No. 21816, vice self, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Medina, Teng - 3.

[Appointment]

Resolution appointing alternate member to the Assessment Appeals Board No. 1, for unexpired portion of three-year term ending September 2, 1997. (Rules Committee)

File 92-96-61, Resolution No. 149-97

(Hayes Miles, vice Ermelinda Trevino, Seat No. 21006, alternate position, 5 years professional experience pursuant to State Revenue and Tax Code Section 1624, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Medina, Teng - 3.

[Appointment]

Resolution appointing governing body members to the San Francisco Health Authority. (S.F. Health Authority)

File 92-96-68.1, Resolution No. 150-97

(Jack Fries, Disproportionate Share Hospital-St. Luke's; Anthony Wagner, Disproportionate Share Hospital-Department of Public Health, San Francisco General Hospital.)

Adopted by the following vote:

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Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Medina, Teng - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Male speaker, Mayor Brown, police issues;  
Khadijah Jacob, police/Jewish Education Center car auction fraud;  
Doug Comstock, ballot measure, oppose free sports event tickets for public entity;  
Susan Bartholomew, audit of zoo.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Newsrack Pilot Project]

Resolution urging the Department of Public Works to negotiate a contract with a vendor or vendors to develop and implement a pilot program to place state-of-the-art newsracks at one or more locations to be specified by the Mayor and the Director of Public Works for a trial period not to exceed six months. (Supervisors Kaufman, Newsom, Leal)

File 200-97-2, Resolution No.

(February 10, 1997 - Introduced in Board for consideration on February 17, 1997.)

At the request of Supervisor Ammiano, referred to Economic Development, Transportation and Technology Committee.

In connection with the above item, Supervisors Newsom and Leal requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend International Fair/U.S.-China Friendship]

Resolution commending the International Fair and the U.S.-China Friendship City Network for sponsoring the First San Francisco International Festival of Chinese Cuisine Competition. (Supervisors Yee, Teng, Bierman, Katz, Leal)

File 6-97-19, Resolution No. 151-97

(February 10, 1997 - Introduced in Board for consideration on February 17, 1997.)

Adopted.

In connection with the above item, Supervisors Katz and Leal requested to be added as co-sponsors.

[Commend William Hong Chin]

Resolution commending Mr. William (Bill) Hong Chin for his lifelong contributions and extending condolences to his family: his wife Anna Chin and children Curtis Chin and Kelly Ann Chin and declaring February 12, 1997 as "William Chin Day" otherwise known as "Bill Chen Day". (Supervisors Teng, Katz, Bierman, Leal)

File 6-97-20, Resolution No. 162-97

(February 10, 1997 - Introduced in Board for consideration on February 17, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-97-1.2

(February 10, 1997 - Introduced in Board for consideration on February 17, 1997.)

Adopted.

[Zoo Surplus Report]

Motion directing the Budget Analyst to conduct a report of the San Francisco Zoo to determine the financial surplus at the zoo and the amount of money, if any, from that surplus which may be available to the General Fund. (Supervisors Ammiano, Yee, Leal, Katz)

File 165-97-2

(February 10, 1997 - Introduced in Board for consideration on February 17, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 9.

Absent: Supervisors Medina, Teng - 2.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Burma Ordinance Clarifying Amendments]

Substitute ordinance amending Administrative Code Sections 12J.1, 12J.2, 12J.3, 12J.4, 12J.7 and 12J.8 relating to the Burma Ordinance by adding certain clarifying amendments, exempting contracts with public entities from the Burma Ordinance, and applying the Burma Ordinance to contracts for the construction of public works and contracts to be paid out of the treasury of the City and County. Supervisor Ammiano presented. Referred to Rules Committee.

File 097-96-010.01.

[Emergency Medical Services]

Ordinance amending Health Code by repealing Section 112 which authorizes the Department of Public Health to provide emergency medical services and by adding a new Section 112 relating to the provision of emergency medical services by the Fire Department with Health Commission approval. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the March 12, 1997 meeting.

File 118-97-001.

[Specialized Motor Vehicles for Hire]

Ordinance amending Police Code Section 1076, the definitional section and adding Sections 1148 through 1148.5 providing for the issuance of permits and the operation and regulation of specialized motor vehicles for hire (ramped taxi). Supervisor Ammiano presented. Referred to Finance Committee.

File 121-97-001.

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[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 14-81, as amended by Ordinance Nos. 50-84, 405-91, 137-92, 270-92 and 430-94, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said Plan to expand the Project Area by adding land to the Rincon Point sub-area of the Project Area, specifically Lot 33 of Assessor's Block 3741. Supervisor Yaki presented. Scheduled for public hearing before Board Sitting as a Committee of the Whole March 17, 1997.

File 151-97-001.02.

Referred to Board

[Juvenile Crime Enforcement Grant Program]

Resolution amending Resolution No. 1003-96 to authorize the Juvenile Probation Department to apply for up to \$3,150,000, instead of \$2,150,000 in grants from the State Board of Corrections under the Juvenile Enforcement and Accountability Challenge Grant Program. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar February 24, 1997.

File 214-96-003.01.

[Federal Legislation]

Resolution declaring support for the reintroduction of the Jobs Creation and Infrastructure Restoration Act of 1997 by Congressman Matthew Martinez, in response to the emergency situation created by the attack on welfare and unemployment crisis. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar February 24, 1997.

File 013-97-004.

Referred to Committee

[Gift Acceptance]

Resolution accepting and acknowledging a gift of \$12,315.70 for the maintenance of the permitted Lyon Street Garden and thanking Lucille and George Jewett, Jr. for their generous and beneficial gift. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the February 26, 1997 meeting.

File 038-97-001.

[Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by cancelling the December 1, 1997 and December 29, 1997 meetings and by cancelling all Board and committee meetings from August 26, 1997 through September 14, 1997; and directing the Clerk of the Board of Supervisors to make public notification of such changes. Supervisor Kaufman presented. Referred to Rules Committee.

File 054-97-001.

Referred to Board

[Appointment, California Coastal Commission]

Resolution urging the Senate Rules Committee to appoint San Francisco Supervisor Leslie Katz as the North Coast elected representative to the California Coastal Commission. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar February 24, 1997.

File 092-97-005.

[Findings, Redevelopment Plan Amendment]

Resolution making findings of the Board of Supervisors of the City and County of San Francisco made pursuant to the California Environmental Quality Act and State guidelines in connection with an amendment to the Rincon Point-South Beach Redevelopment Plan to include a portion of the former Embarcadero Freeway between Steuart and Spear Streets (described generally as a portion of Lot 33, Assessor's Block 3741), add a use designation for the southeasterly corner of Howard and Steuart Streets (described generally as a portion of Lot 12, Assessor's Block 3742) and adopt certain amendments to the General Plan. Supervisor Yaki presented. Scheduled for public hearing before Board Sitting as a Committee of the Whole March 17, 1997.

File 151-97-001.01.

Requests for Hearings:

[Redevelopment Agency Projects]

Hearing to review ongoing Redevelopment Agency projects including, but not limited to, the Giants Ballpark, the South Bayshore, Fillmore, Mission Bay, Mid-Market, etc. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 161-97-002.

[Electric System Municipalization]

Hearing to consider the "Final Report: Feasibility Study of Electric-System Municipalization for San Francisco Public Utilities Commission". Supervisor Bierman presented. Referred to Finance Committee.

File 191-97-003.

[JC DeCaux Contract, Public Toilets]

Hearing to review the compliance and status of the contractual agreement reach between the City and the JC DeCaux Company regarding public toilets and kiosks. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 200-97-003.

[Housing Authority Revitalization]

Hearing to review economic development programs associated with HOPE VI and other revitalization projects of the San Francisco Housing Authority. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 206-97-001.

[Police Misconduct Issues]

Hearing to consider how the Police Commission and the Police Department address misconduct issues. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 207-97-001.

[Retirement System MBE/WBE Goals]

Hearing to review the compliance of Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise goals by the San Francisco Retirement System, with a particular focus on investment fund managers and consultants. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 210-97-001.

[Bank of America Branch Closure]

Hearing to consider the economic impact on closure of Bank of America's Ocean-Faxon Branch. Supervisors Medina, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 227-97-002.

[Bank of America Branches]

Hearing to review the proposed closure of Bank of America branches in Glen Park and the Oceanview, Merced, Ingleside District. Supervisors Yaki, Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 227-97-003.

[Bay Bridge]

Hearing to review the design and financing of the eastern portion of the Bay Bridge. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 231-97-001.

[Welfare Reform Implementation]

Hearing to consider the income and family support package in regard to welfare reform implementation, specifically, child care, transportation and health care. Supervisors Yaki, Bierman presented. Referred to Joint Economic Development, Transportation and Technology and Health, Family and Environment Committee.

File 232-97-001.



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[Hunters Point Naval Shipyard]

Hearing to consider the status of the conversion of the Hunters Point Naval Shipyard. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 244-97-001.

[Treasure Island Naval Station]

Hearing to consider the status of the conversion of the Treasure Island Naval Station. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 244-97-002.

Motions:

Referred to Committee

[Schedule of Management Audits for 1997]

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments. Supervisor Kaufman presented. Referred to Finance Committee.

File 165-97-001.

Referred to Board

[Management Audit, San Francisco Zoo]

Motion directing the Board of Supervisors' Budget Analyst to conduct a priority fiscal and management audit of the San Francisco Zoo. Supervisors Ammiano, Yee, Leal, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar February 24, 1997.

File 165-97-003.

[December Winter Storm of 1996 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar February 24, 1997.

File 270-97-001.03.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-97-004. [Sidewalk Width Regulations, Jack London Alley] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1539 changing the official width of sidewalk on the southwesterly side of Jack London Alley between South Park and Varney Place, as shown on the Department of Public Works drawing labeled Q-20-472 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 045-97-019. [George Byron Mills, Jr. et al. v. CCSF et al.] Ordinance authorizing settlement of litigation of George Byron Mills, Jr., individually and as executor of the estate of Alice Marie Mills, Judy Mills Porter and Anita Mills Thompson against the City and County of San Francisco by payment of \$182,054. (Superior Court No. 969-086). (City Attorney) Referred to Rules Committee.

File 046-97-002. [CCSF v. County of Alameda] Ordinance authorizing settlement of litigation of City and County of San Francisco against the County of Alameda for property tax refunds in the amount of \$5,138,761.82 in principal/interest. (Marine Superior Court No. 133-826) (City Attorney) Referred to Rules Committee.

File 046-97-003. [CCSF v. County of San Mateo] Ordinance authorizing settlement of litigation of City and County of San Francisco against the County of San Mateo for property tax refunds in the amount of \$2,486,478.62 in principal and interest, subject to approval by members of the Bay Area Water Users Association. (Marine Superior Court Nos. 132-479 and 137-403). (City Attorney) Referred to Rules Committee.

File 101-96-047. [Appropriation, District Attorney] Ordinance appropriating \$94,376, District Attorney's Office, from the General Fund Reserve, for salaries and fringe benefits for the creation of three (3) positions to expand the Domestic Violence Unit, for fiscal year 1996-97; companion measure to File 102-96-10. RO #96229. (Controller) Referred to Finance Committee.

File 101-96-048. [Appropriation, Parking and Traffic Dept.] Ordinance appropriating \$100,000, Parking and Traffic Department, of Traffic Fines Revenue to other current expenses for the cost of the red light camera enforcement pilot project for fiscal year 1996-97. RO #96231. (Controller) Referred to Finance Committee.

File 101-96-049. [Appropriation, Medical Examiner/Coroner] Ordinance appropriating \$34,563, Medical Examiner/Coroner, of Jail Overcrowding Fine Revenue to professional services, materials and supplies, equipment purchase and maintenance for a DUI testing program for fiscal year 1996-97; placing \$34,563 on reserve. RO #96230. (Controller) Referred to Finance Committee.

File 124-97-002. [Commercial Vehicle/Transit Area, Sansome St.] Ordinance amending Traffic Code by adding Section 31.6, establishing an exclusive commercial vehicle/transit area on Sansome Street. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

#### Resolutions Referred to Committee

File 040-97-003. [Residential Parking Area "U", South of Market] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing/Neighborhood Services Committee.

File 040-97-004. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing/Neighborhood Services Committee.

File 051-96-004.01. [Reimbursement to Employees] Resolution authorizing reimbursement for the cost of personal property of City and County employees damaged/stolen in the line of duty, in the amount of \$251.00. (Controller) Referred to Rules Committee.

File 065-97-002. [Lease Amendment, Walt Disney Productions] Resolution approving and authorizing amendments to a sublease and sublicense with Walt Disney Productions regarding the use of Hangars 3 and 180 on Naval Station Treasure Island, extending the terms thereof until March 31, 1997. (Mayor Willie L. Brown, Jr.) Referred to Economic Development, Transportation and Technology Committee.

File 068-97-002. [Grant, Supportive Housing/Shelter Plus Programs] Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend Stewart B. McKinney Supportive Housing Program grants in a total amount not to exceed \$13,291,985 and a Shelter Plus Care grant in a total amount not to exceed \$2,176,020 from the U.S. Department of Housing and Urban Development. (Mayor Willie L. Brown, Jr.) Referred to Housing and Neighborhood Services Committee.

File 092-97-003.01. [Appointment, Health Authority Governing Body] Resolution appointing Supervisor Michael Yaki to serve on the governing body of the San Francisco Health Authority. (San Francisco Health Plan) Referred to Rules Committee.

File 131-97-001. [Koret Foundation Grant, Senior Services] Resolution authorizing the City and County of San Francisco Commission on the Aging to apply for, accept and expend a private grant in the amount of \$25,000 from Koret Foundation; waiving indirect costs and providing for ratification of action previously taken. (Commission on the Aging) Referred to Health, Family and Environment Committee.

File 192-97-001. [State Grant, Upgrade Traffic Sign Records System] Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend \$105,300 in Office of Traffic Safety (OTS) funds to upgrade the Department's Traffic Sign Records System; providing for ratification of action previously taken. (Department of Parking and Traffic) Referred to Housing/Neighborhood Services Committee.

File 192-97-002. [Federal Grant, Lake Merced Blvd Curb Lane Widening] Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively apply for, accept and expend a grant in federal funds in the amount of \$370,000 for reconfiguring Lake Merced Boulevard to provide wide curb lanes to improve bicyclists' safety; waiving indirect costs; providing for ratification of action previously taken. (Department of Parking and Traffic) Referred to Economic Development, Transportation and Technology Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter be sent to Director of Public Health requesting a report concerning the Department of Public Health's decision not to request complete funding of all HIV/AIDS services impacted by reductions in available Ryan White Care Act Funds.

By Supervisor Bierman, that letter be sent to Executive Director, Department of Parking and Traffic, requesting consideration be given to lengthening the period of time provided by traffic lights on Van Ness Avenue to allow those persons who are disabled and/or elderly to cross Van Ness Avenue without endangering their safety.

Tuesday, February 18, 1997

By Supervisor Katz, that letter be sent to City Attorney requesting advice as to the legality and feasibility of requiring entities who develop City-owned property to provide job training and hiring certain numbers of low income City residents as a condition of being allowed to proceed with such development; or alternatively, to review possible incentives for developers who provide the foregoing.

By Supervisor Yaki, that City Attorney assess the constitutionality of the Displaced Worker Protection Act, as enacted in the District of Columbia, and any similar measure in California, as applicable to the public and private sectors.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Seth Gray (Supervisor Leal)

File 2-97-7

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:54 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 7, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, February 24, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 24, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Brown, Katz, Leal - 3.

Quorum present.

Supervisor Brown was noted present at 2:01 p.m.

Supervisor Katz excused. (See infra.)

Supervisor Leal was noted present at 2:01 p.m.

Supervisor Katz Excused

The Clerk stated Supervisor Katz requested to be excused from attending today's meeting.

Supervisor Medina, seconded by Supervisor Leal, moved to excuse Supervisor Katz from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Introduction of Guests  
Suspension of the Rules

Supervisor Yaki introduced and welcomed a delegation of public officials from Korea who are here on a study tour of local government.

Supervisor Yaki, seconded by Supervisor Leal, moved to suspend the rules of order to grant privilege of the floor to Mr. Chun Young-Kook, representing the delegation.

Speaking through an interpreter, Mr. Chun Young-Kook spoke of the purpose of their visit and the opportunity to witness the Board of Supervisors proceedings in order to learn and take back some of the procedures they observed.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Permits, Specialized Motor Vehicles for Hire]

Ordinance amending Police Code, by amending the definition of taxicab and adding new sections concerning regulation of specialized motor vehicles for hire (ramped taxis). (Police Commission)

File 121-96-14, Ordinance No. 64-97

(Fiscal Impact.)

Monday, February 24, 1996

(Amends Section 1076;  
Adds Sections 1148 through 1148.5.)

Finally passed.

[Permit Fees for Tow Car Firms/Ramped Taxicabs]

Ordinance amending Police Code, relating to permit filing fees and permit license fees for tow car firms and ramped taxicabs (minivan taxicabs adapted for wheelchair users); companion measure to File 121-96-14. (Police Commission)

File 121-96-13, Ordinance No. 63-97

(Amends Sections 2.26, 2.27.)

(Fiscal Impact.)

Finally passed.

#### Recommendations of Finance Committee

##### Finally Passed

[Appropriation, Art Commission]

Ordinance appropriating \$15,000, Art Commission, of Public Art Fund Revenue, to salaries and fringe benefits for the creation of one (1) position for fiscal year 1996-97. (Controller)

File 101-96-43, Ordinance No. 47-97

Finally passed.

[Salary Ordinance Amendment, Art Commission]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) reflecting the creation of one (1) position (Class 1312 Public Information Officer), at the Art Commission; companion measure to File 101-96-43. (Department of Human Resources)

File 102-96-9, Ordinance No. 61-97

Finally passed.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$294,503, Recreation and Park Department, from the General Fund Reserve to purchase golf equipment for fiscal year 1996-97. (Controller)

File 101-96-44, Ordinance No. 59-97

Finally passed.

[Appropriation, Public Utilities Commission]

Ordinance appropriating \$2,058,214, Public Utilities Commission, of Federal Revenue for salaries, fringe benefits, professional services, overhead, training, taxes, licenses and permits, other current expenses, materials and supplies, equipment lease purchase and services of other departments for the creation of twelve (12) positions at the Public Utilities Commission for costs incurred in taking over the operations and maintenance of the utility systems serving Treasure Island for fiscal year 1996-97. (Controller)

File 101-96-46, Ordinance No. 60-97

Finally passed.

[Salary Ordinance Amendment, PUC]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97), in the Public Utilities Commission and Department of Public Works reflecting the creation of twelve (12) positions to staff assumption of responsibility for utility operation and maintenance at Treasure Island; companion measure to File 101-96-46. (Department of Human Resources)

File 102-96-11, Ordinance No. 62-97

Finally passed.



[Lease Financing for 911 Center]

Ordinance rescinding Ordinance 208-94 (Citywide Radio System Lease Financing); approving a site lease agreement between the City and County of San Francisco ("City"), as lessor, and the City and County of San Francisco Finance Corporation ("Corporation"), as lessee, relating to a portion of Assessor's Block 759, Lot 1, known as the Margaret S. Hayward Playground ("Site"); approving a project lease agreement between the Corporation, as lessor, and the City, as lessee, of the 911 Dispatch Center to be constructed on the site (including certain indemnification provisions therein); approving an Agency Agreement between the Corporation and the City with respect to a 911 Dispatch Center to be used for City purposes; approving the issuance of Lease Revenue Bonds of the Corporation; approving a continuing Disclosure Agreement relating to said bonds; approving the circulation, execution and delivery of an Official Statement relating to said bonds; and providing for the execution of documents in connection with and ratifying previous actions taken in connection with the foregoing matters. (Department of Administrative Services)

File 170-96-10, Ordinance No. 65-97

Finally passed.

[Combined Emergency Communications Center]

Ordinance selecting and setting aside certain real property at 1003 Turk Street in the Margaret S. Hayward Playground, Assessor's Block 759, Lot 1, consisting of the following: (1) a subsurface 10-foot wide sewer line to service the new Combined Emergency Communications Center ("CECC"); (2) an emergency ingress and egress right-of-way to and from Octavia Street; and (3) an aerial encroachment area over the southern boundary of the property on which the new CECC shall be constructed; and amending Section 6 of Ordinance No. 80-96 to provide an elevation adjustment to allow for the construction of the underground parking structure for CECC. (Department of Administrative Services)

File 216-95-1.2, Ordinance No. 54-97

Finally passed.

[Emergency Response Fee Amendments]

Ordinance amending Municipal Code, Part III, Article 10A, to increase the estimate of total project costs from \$57,851,000 to \$67,153,821 and to increase the cap on project costs eligible to be paid from Emergency Response Revenues from \$49 million to \$60 million. (City Attorney)

File 127-97-1, Ordinance No. 79-97

(Amends Sections 751, 752 and 756.)

Finally passed.

[Appropriation, Department of Telecommunications]

Ordinance appropriating \$17,680,000, Department of Telecommunications, of Lease Revenue Bond proceeds for the construction of a Combined Emergency Communications Center (CECC), and to provide the Department of Administrative Services, City Attorney and Controller with costs of issuance for fiscal year 1996-97; placing the funds on reserve; companion measure to Files 170-96-10, 216-95-1.2, 127-97-1. (Controller)

File 101-96-41, Ordinance No. 57-97

Finally passed.

[Open Space, Bayview Hill]

Ordinance authorizing purchase of a portion of Assessor's Block 4991, Lots 29, 31, 32, 33, 34, 38 and 44 consisting of 15.884 acres on Bayview Hill for open space for \$2,600,000. (Supervisor Bierman)

File 84-97-1.1, Ordinance No. 78-97

Finally passed.

Adopted

[SDI Coverage, Classification 1683]

Resolution authorizing enrollment of classification 1683 Budget and Fiscal Operations Manager in the State Disability Insurance Program. (Department of Human Resources)

File 89-97-1, Resolution No. 177-97

Adopted.

Monday, February 24, 1996

Recommendations of Housing and Neighborhood Services

Finally Passed

[Changing Width of Sidewalk, Division Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the width of sidewalks" by adding thereto Section No. 1535 changing the official sidewalk width on the south side of Division Street between Florida Street and Bryant Street, as shown on the Department of Public Works drawing labeled Q-20-474 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-15, Ordinance No. 55-97

Finally passed.

[Sidewalk Width Regulations, Market Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1536 changing the official sidewalk width on the south side of Market Street northeasterly of 7th Street, as shown on the Department of Public Works drawing labeled Q-20-467 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-97-1, Ordinance No. 66-97

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Conflict of Interest Code]

Ordinance amending Administrative Code, to add, delete, and change the titles of designated officials and employees, to reflect organizational and staffing changes made by the City since the conflict of interest was last reviewed; to refine the disclosure requirements applicable to some designated officials and employees; and to incorporate the new departments and new department names created by the 1996 Charter. (City Attorney)

File 97-96-66, Ordinance No. 56-97

(Amends Sections 58.6, 58.7, 58.110, 58.115, 58.130, 58.135, 58.145, 58.150, 58.155, 58.165, 58.180, 58.195, 58.198, 58.202, 58.210, 58.220, 58.245, 58.275, 58.280, 58.285, 58.290, 58.310, 58.320, 58.323, 58.325, 58.350, 58.357, 58.370, 58.382, 58.383, and 58.390; adds Sections 58.150, 58.198, and 58.201; and deletes Section 58.355.)

Finally passed.

[Connor v. CCSF et al.]

Ordinance authorizing settlement of the litigation of Connor v. City and County, et al., whereby City vacates portion of public street, accepts quitclaim deed from plaintiff and City grants easement to plaintiff. (Real Estate Department)

File 45-97-1, Ordinance No. 67-97

(Superior Court No. 971-879.)

Finally passed.

[Summary Street Vacation, Hickory Street]

Ordinance ordering summary street vacation of portions of Hickory Street located between Webster and Buchanan Streets; companion measure to File 45-97-1. (Real Estate Department)

File 164-97-1, Ordinance No. 80-97

Finally passed.

[Grove v. CCSF, et al.]

Ordinance authorizing settlement of litigation in the matter entitled Grove v. City and County by payment of \$281,500 or alternatively, \$225,000. (City Attorney)

File 45-97-5, Ordinance No. 68-97

(Superior Court No. 970-196.)

Finally passed.

Monday, February 24, 1996

[Karen Chan, June Lee et al. v. CCSF]

Ordinance authorizing settlement of litigation of Karen Chan, June Lee, and Fook Shiu Lee v. City and County by payment of \$275,000. (City Attorney)

File 45-97-6, Ordinance No. 69-97

(Superior Court No. 977-255.)

Finally passed.

[San Coc Duong v. CCSF et al.]

Ordinance authorizing settlement of litigation of San Coc Duong against the City and County by payment of \$9,382. (City Attorney)

File 45-97-7, Ordinance No. 70-97

(Superior Court No. 966-554.)

Finally passed.

[Jessie Harjani et al. v. CCSF et al.]

Ordinance authorizing settlement of litigation of Jessie Harjani, Martin Harjani, Martin Leung and Mat-Kit Leung against the City and County by payment of \$7,500. (City Attorney)

File 45-97-8, Ordinance No. 71-97

(Municipal Court No. 125-870.)

Finally passed.

[Hadley Auto Transport, Inc. v. CCSF et al.]

Ordinance authorizing settlement of litigation of Hadley Auto Transport, Inc. against the City and County by payment of \$48,360.53. (City Attorney)

File 45-97-9, Ordinance No. 72-97

(Superior Court No. 974-590.)

Finally passed.

[Marga Myers et al., v. CCSF et al.]

Ordinance authorizing settlement of litigation of Marga Myers against the City and County by payment of \$10,000. (City Attorney)

File 45-97-10, Ordinance No. 73-97

(Superior Court No. 980-293.)

Finally passed.

[Yvette Jordan-Batiste v. CCSF et al.]

Ordinance authorizing settlement of litigation of Yvette Jordan-Batiste against the City and County by payment of \$12,500. (City Attorney)

File 45-97-11, Ordinance No. 74-97

(Superior Court No. 977-102.)

Finally passed.

[Baeza v. CCSF et al.]

Ordinance authorizing settlement of the litigation of Baeza v. City and County, et al. by making a binding offer in the amount of One Hundred and Eighty Five Thousand Dollars (\$185,000) pursuant to Federal Rule of Civil Procedure 68. (City Attorney)

File 45-97-12, Ordinance No. 75-97

(USDC Case No. C-93-3130 DLJ, Case No. C-96-1240 DLJ, Consolidated.)

Finally passed.

Monday, February 24, 1996

[Morene Meek v. CCSF et al.]

Ordinance authorizing settlement of litigation of Morene Meek against the City and County by payment of \$6,500. (City Attorney)

File 45-97-13, Ordinance No. 76-97

(Superior Court No. 970-243.)

Finally passed.

[CCSF v. Pierre Merk1 and David Baross]

Ordinance authorizing settlement of litigation by the City and County against Pierre Merk1 and David Baross by accepting the payment of \$22,000. (City Attorney)

File 46-97-1, Ordinance No. 77-97

(Superior Court No. 972-405.)

Finally passed.

Recommendations of Health, Family and Environment Committee

Adopted

[Award-Private]

Resolution authorizing the Department of Public Health, to apply retroactively for three awards in a total amount of up to \$300,000, from the Ford Foundation and the John F. Kennedy School of Government at Harvard University, Innovations in American Government Program, for three projects; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-97-1, Resolution No. 179-97

Adopted.

[State Grant, Mentoring Children/Youth at High Risk]

Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for retroactively and accept and expend a grant up to \$50,000 which excludes indirect costs, from the State of California, Department of Alcohol and Drug Programs to provide mentoring to children and youth who are at greatest risk from drug abuse, violence, school dropout, teen pregnancy and other problems; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-97-2, Resolution No. 180-97

Adopted.

[State Grant, Juvenile Probation]

Resolution authorizing the Juvenile Probation Department to retroactively apply for and to accept and expend \$41,760 in grant funds from the State of California Department of Youth Authority, for the implementation of a "Young Men as Fathers Program"; waiving indirect costs. (Juvenile Probation Department)

File 214-97-1, Resolution No. 163-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Monday, February 24, 1996

Passed for Second Reading

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$100,000, Recreation and Park Department, from a General Fund Reserve, for an integrated pesticide plan for training, materials and supplies, equipment and services of other department for fiscal year 1996-97. (Supervisors Leal, Teng)

File 101-96-33, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Appropriation, Department of Public Health]

Ordinance appropriating \$62,310, Department of Public Health, of new State tobacco tax revenues and reallocating \$802,138 between various community health services and San Francisco general tobacco tax appropriations to reflect current expenditure plans, including \$229,744 appropriation of tobacco tax revenues for fringe benefits at San Francisco General Hospital for fiscal year 1996-97. (Controller)

File 101-96-42, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$315,250, Recreation and Park Department, of Recreation and Park Revenue for contractual services at the park to reimburse the San Francisco Giants for the installation of the "Out of Town" scoreboard at 3COM Park and Candlestick Point for fiscal year 1996-97. (Controller)

File 101-96-45, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Amendment to MOU, Local 261]

Ordinance amending Ordinance No. 172-96 to correct clerical errors and omissions to the provisions of the Memorandum of Understanding between the Laborers International Union of North America, Local 261 and the City and County for the period July 1, 1996 through June 30, 1997. (Department of Human Resources)

File 93-96-14.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Adopted

[Cooperative Agreement - Mitigation Measures - SFIA]

Resolution approving the Biological Opinion Cooperative Agreement between the Airport, the California Department of Transportation, and the Federal Highway Administration (concerning certain mitigation measures regarding impacts of construction project on endangered and threatened species on the adjacent West-of-Bayshore property). (Airport Commission)

File 27-97-1, Resolution No. 174-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Emergency, Connection of UAL/Co-Gen to Station BA]

Resolution approving declaration of emergency, electrical connection of United Airlines electrical co-generation station to the Airport's Station BA, San Francisco International Airport. (Airport)

File 27-97-2, Resolution No. 175-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Lease of Property at 899 Bryant Street]

Resolution authorizing a lease of real property at 899 Bryant Street, for the Department of Parking and Traffic Enforcement Division (administrative offices, dispatch, locker rooms, childcare, and assembly area for the Parking Control Officers (PCOs). (Real Estate Department)

File 64-97-1, Resolution No. 176-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Recommendations of Health, Family and Environment Committee

Adopted

[Juvenile Justice Coordinating Council]

Resolution establishing a multiagency juvenile justice coordinating council to develop a local action plan to provide a continuum of responses to juvenile crime and delinquency; rescinding Resolution No. 1004-96. (Mayor)

File 214-96-4.1, Resolution No. 170-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Agreement, CCSF/HHL Financial Services, Inc.]

Resolution authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County and HHL Financial Services, Inc. to provide uncompensated care recovery services; retroactive to January 1, 1997. (Department of Public Health)

File 172-97-3, Resolution No. 181-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Monday, February 24, 1996

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Patricia Vaughey, Carlton Goodlett, liquor licenses;  
Reuben D. Goodman, crime issue;  
Leboriae P. Smoore, police brutality, African and poor people;  
Mira Ingram, Ambassador Hotel;  
Franklin Devore, Ambassador Hotel;  
George R. Williams, combined emergency center, paramedics.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Medina requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Appointment, California Coastal Commission]

Resolution urging the Senate Rules Committee to appoint San Francisco Supervisor Jose Medina ((Leslie Katz)) as the North Coast elected representative to the California Coastal Commission. (Supervisor Kaufman)

File 92-97-5, Resolution No. 178-97

(February 18, 1997 - Introduced in Board for consideration on February 24, 1997.)

Supervisor Medina Excused from Voting

The Clerk announced that Supervisor Medina requested to be excused from voting because of a possible conflict of interest.

Supervisor Yaki, seconded by Supervisor Teng, moved to excuse Supervisor Medina from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Katz, Leal - 2.

Supervisor Kaufman, seconded by Supervisor Ammiano, moved to amend by replacing "Leslie Katz" with "Jose Medina" wherever it appears in the legislation and amend line 12 by replacing "her" with "his".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Excused: Supervisor Medina - 1.

Absent: Supervisors Katz, Leal - 2.

The roll was then called on the pending resolution and it was adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Excused: Supervisor Medina - 1.

Absent: Supervisors Katz, Leal - 2.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kaufman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Monday, February 24, 1996

Referred to Committee

[Management Audit, San Francisco Zoo]

Motion directing the Board of Supervisors' Budget Analyst to conduct a priority fiscal and management audit of the San Francisco Zoo. (Supervisors Ammiano, Yee, Leal, Katz, Newsom, Teng)

File 165-97-3

(February 18, 1997 - Introduced in Board for consideration on February 24, 1997.)

At the request of Supervisor Kaufman, referred to Finance Committee.

In connection with the above item, Supervisors Newsom and Teng requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Juvenile Crime Enforcement Grant Program]

Resolution amending Resolution No. 1003-96 to authorize the Juvenile Probation Department to apply for up to \$3,150,000, instead of \$2,150,000 in grants from the State Board of Corrections under the Juvenile Enforcement and Accountability Challenge Grant Program. (Supervisors Yaki, Leal)

File 214-96-3.1, Resolution No. 169-97

(February 18, 1997 - Introduced in Board for consideration on February 24, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Federal Legislation]

Resolution declaring support for the reintroduction of the Jobs Creation and Infrastructure Restoration Act of 1997 by Congressman Matthew Martinez, in response to the emergency situation created by the attack on welfare and unemployment crisis. (Supervisor Ammiano, Teng, Bierman, Yaki)

File 13-97-4, Resolution No. 173-97

(February 18, 1997 - Introduced in Board for consideration on February 24, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, and Yaki requested to be added as co-sponsors.

[December Winter Storm of 1996 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms. (Supervisors Kaufman, Teng)

File 270-97-1.3

(February 18, 1997 - Introduced in Board for consideration on February 24, 1997.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Extending Planning Commission Review Period]

Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinance to amend the Planning Code with respect to the sale of motor vehicle fuel concurrent with alcoholic beverages. (Supervisors Bierman, Leal)

File 115-96-15.1, Resolution No. 168-97

(February 19, 1997 - Referred to Board for consideration on February 24, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.



Monday, February 24, 1996

[Commend SAALSA Scholars]

Resolution commending the link between the James Denman Middle School and the University of San Francisco and the resulting "Supporting Academic Aspirations in Latino Students, Achievement" (SAALSA) Program. (Supervisors Medina, Yaki, Teng, Leal, Bierman)

File 6-97-23, Resolution No. 172-97

(February 19, 1997 - Referred to Board for consideration on February 24, 1997.)

Adopted.

In connection with the above item, Supervisors Yaki, Teng, Leal, and Bierman requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Katz, Leal - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Medina, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Katz, Leal - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Medina, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Katz, Leal - 2.

[Imperative Resolution]

Adopted

[Proclaim Maria Monet Day]

Resolution making February 26th Maria Monet Day.

File 004-97-006, Resolution No. 171-97

Supervisors Katz, Leal, Kaufman, Teng, Brown, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Monday, February 24, 1996

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

Ordinance amending Administrative Code Section 10.11-1 to authorize all officers, boards, commissions and departments of the City and County to accept credit, debit and ATM cards for the payment of fees, taxes or other charges, and to delete direct authorization for the Department of Public Health, Art Commission, Library Department, Recreation and Park Commission, Parking and Traffic Commission, Department of Animal Care and Control and the Treasurer/Tax Collector to accept payment by credit, debit or ATM cards. Supervisor Kaufman presented. Referred to Finance Committee.

File 097-97-009.

[Community-Quality Enterprises]

Ordinance amending Health Code by adding Sections 470 through 470.11 and amending Part III of the Municipal Code by adding Sections 178 and 249.16 to create a permit procedure requiring the Department of Public Health to regulate community-quality enterprises, including food product and marketing establishments and bars, to ensure that these enterprises comply with community-quality performance standards and do not cause, engage in, or contribute to nuisance activity in the community, and to authorize the Director of Public Health to suspend, revoke or impose conditions of operation for violations of community-quality performance standards. Supervisors Leal, Kaufman presented. Referred to Health, Family and Environment Committee.

File 118-97-002.

Referred to Board

[Long Term Care Pilot Project Task Force]

Resolution amending Resolution No. 1024-96 which created a Long Term Care Pilot Project Task Force, by adding an additional member to represent labor (increases total membership to 27). Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 3, 1997.

File 174-96-004.01.

[Proclaim National Women's History Month]

Resolution recognizing the month of March as National Women's History Month and commending Sisterhood of Levi Strauss & Company for their work in bringing awareness of the contributions of women. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 3, 1997.

File 004-97-007.

[Proclaim Festival of Chinese Cuisine Day]

Resolution proclaiming March 1, 1997 as "The San Francisco International Festival of Chinese Cuisine Day". Supervisors Teng, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar March 3, 1997.

File 004-97-008.

[Commend Asian American Film Festival Week]

Resolution commemorating the 15th San Francisco International Asian American Film Festival 97 and declaring March 6, 1997 through March 13, 1997 as "International Asian American Film Festival Week" in San Francisco. Supervisors Teng, Yaki, Katz, Newsom, Yee, Kaufman, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 3, 1997.

File 006-97-024.

[Commend Retired Senior Volunteer Program]

Resolution commending the Retired Senior Volunteer Program on their 24th Anniversary. Supervisors Teng, Yaki, Katz, Newsom, Yee, Kaufman, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 3, 1997.

File 006-97-025.

Monday, February 24, 1996

[Commend Ong Ko Met Benevolent Association]

Resolution commending Ong Ko Met Benevolent Association for their commitment to the Chinese American Community and declaring March 1, 1997 as "Ong Ko Met Benevolent Association Day" in San Francisco. Supervisors Teng, Katz, Yaki, Newsom, Yee, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 3, 1997.

File 006-97-026.

[Bammies Walk of Fame, Gift Acceptance]

Resolution designating the public right of way fronting the Bill Graham Civic Auditorium along Grove Street as eligible for the installation and maintenance of commemorative plaques, pursuant to Public Works Code Section 789.2(a), in order to honor musicians and other individuals that have contributed to the musical heritage of the San Francisco Bay Area, identifying this area as the "Bammies Walk of Fame." making findings of conformity with the General Plan and consistency with the eight priority policies of Planning Code Section 101.1 and accepting the gift of installation of the plaques. Supervisors Kaufman, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar March 3, 1997.

File 200-97-004.

Requests for Hearings:

[Honoring Dr. Carlton Goodlett]

Hearing to consider any and all options aimed at honoring the memory of the late Dr. Carlton Goodlett. Supervisors Brown, Bierman, Medina, Ammiano, Yee presented. Referred to Economic Development, Transportation and Technology Committee.

File 075-97-001.

[Third Street Liquor Licenses]

Hearing regarding establishments on the Third Street corridor with liquor licenses and the effects of these businesses on the local community. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 223-97-007.

[All Night Market]

Hearing on the operation of the All Night Market located at 5190 Third Street and its impact on the health and safety of local residents and businesses. Supervisors Teng, Brown presented. Referred to Housing and Neighborhood Services Committee.

File 233-97-001.

[Third Street Corridor Community Policing]

Hearing on the public safety issue of community policing on the Third Street corridor, including a request for beat officers to walk the Third Street corridor and the issue of enforcement of crime prevention. Supervisors Teng, Brown, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 207-97-002.

[Vandalism, Burger King]

Hearing to examine the incidents of vandalism against the Burger King franchise on 9th Avenue and Irving Street and what steps can be taken to improve the public safety in the area. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 207-97-003.

Motion:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 3, 1997.

File 030-97-001.03.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-021. [Yelizaveta Bluvshcheyn v. CCSF et al.] Resolution authorizing settlement of litigation of Yelizaveta Bluvshcheyn against the City and County of San Francisco, Muni, et al. by payment of \$40,000. (Superior Court No. 976-704) (City Attorney) Referred to Rules Committee.

File 045-97-022. [John Liu v. CCSF et al.] Ordinance authorizing settlement of litigation of John Liu against the City and County of San Francisco by payment of \$5,500. (Superior Court No. 973-796) (City Attorney) Referred to Rules Committee.

File 045-97-023. [Martin Harjani et al v. CCSF et al.] Ordinance authorizing settlement of litigation of Martin Harjani against the City and County of San Francisco by payment of \$16,778.63. (Municipal Court No. 116-736) (City Attorney) Referred to Rules Committee.

File 045-97-024. [State of California v. CCSF et al.] Ordinance authorizing settlement of litigation of State of California against the City and County of San Francisco by payment of \$7,700. (Municipal Court No. 124-885) (City Attorney) Referred to Rules Committee.

File 097-97-008. [Special Funds, Police Department] Ordinance amending the San Francisco Administrative Code by adding Section 10.117-118, establishing a special fund for equipment and maintenance of the Police Department's gymnasium at the Hall of Justice. (Police Commission) Referred to Finance Committee.

File 101-96-050. [Appropriation, Fire Department] Ordinance appropriating \$1,653,393, Fire Department, from the General Fund Reserve for salaries, professional services, equipment rental, other current expenses, materials and supplies, equipment purchase and services of other departments to fund the cost of transferring the Paramedic Division from Public Health to the Fire Department for fiscal year 1996-97. RO #96228. (Controller) Referred to Finance Committee.

Resolutions Referred to Committee

File 010-97-001. [Encroachment Permit, 1550 Sutter/Bush Streets] Resolution granting revocable permission to James E. Roberts-Obayashi Corporation to temporarily close and occupy the south sidewalk and a portion of the street on Bush Street during construction operations for the Coventry Park Project at 1550 Sutter Street. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 010-97-002. [Encroachment Permit, 657 Turk/Elm Streets] Resolution granting revocable permission to Nielsen Dillingham Builders, Inc. to temporarily close and occupy the south sidewalk and a portion of the street area on Turk Street and the north sidewalk and a portion of the street area on Elm Street during construction operations at Tenderloin Elementary School at 657 Turk Street. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 010-97-003. [Encroachment Permit, 455 Golden Gate Avenue] Resolution granting revocable permission to the State of California to construct canopies, cornices, awnings and various other architectural components to extend from the building facade above the sidewalk for the Hiram W. Johnson State Building at 455 Golden Gate Avenue (Block 765, Lot 3), and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 027-97-003. [Airport Lease, Caltrans I-380 Property] Resolution authorizing a lease of real property at Interstate 380 Overpass and South Airport Boulevard, South San Francisco, San Mateo County, for the Airport Commission, San Francisco International Airport. (Real Estate Department) Referred to Finance Committee.

File 040-97-005. [Residential Parking Area "R", Cleary Court] Resolution extending the boundaries of Residential Permit Parking Area "R" in the Cleary Court Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing/Neighborhood Services Committee.

File 040-97-006. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing/Neighborhood Services Committee.

File 047-97-001. [License Agreement for Off-Street Parking] Resolution authorizing the license agreement for parking at the Community Assembly of God Church, 355 Ocean Avenue, for the Municipal Railway. (Real Estate Department) Referred to Economic Development, Transportation and Technology Committee.

File 048-97-014. [Settlement of Claim, Gerald J. Gerhardt] Resolution approving the settlement of the unlitigated claim of Gerald J. Gerhardt by payment of \$7,500.00. (City Attorney) Referred to Rules Committee.

Monday, February 24, 1996

File 048-97-015. [Settlement of Claim, Henry Hejazi] Resolution approving the settlement of the unlitigated claim of Henry Hejazi by payment of \$10,000.00. (City Attorney) Referred to Rules Committee.

File 048-97-016. [Settlement of Claim, Randy Basnett] Resolution approving the settlement of the unlitigated claim of Randy Basnett by payment of \$10,750. (City Attorney) Referred to Rules Committee.

File 048-97-017. [Settlement, Regional Water Quality Board Complaint] Resolution approving the settlement of the State administrative penalty by payment of \$300,000. (San Francisco Bay Regional Water Quality Control Board Administrative Civil Liability Complaint No. 96-145) (City Attorney) Referred to Rules Committee.

File 064-97-004. [Lease of Property, LAIR Facility] Resolution authorizing a lease of property at the Letterman Army Institute of Research Facility ("LAIR") in the Presidio of San Francisco, for use by the Department of Public Health. (Real Estate Department) Referred to Health, Family and Environment Committee.

File 133-97-001. [Grant Funds for Alternative Fuel Vehicles] Resolution authorizing the Director of Administrative Services to accept and expend \$555,710 from the Transportation Fund for Clean Air for alternative fuel vehicles; and authorizing the Director of Administrative Services to execute an agreement with the Bay Area Air Quality Management District whereby the City would indemnify the District from claims resulting from the City's performance of said agreement. (Department of Administrative Services) Referred to Health, Family and Environment Committee.

File 146-97-004. [State Grant, Oil Spill Prevention] Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to apply for, accept and expend retroactively a grant of \$7,499, which includes indirect costs in the amount of \$1,150 based on twenty-two percent of salaries, from the California Department of Fish & Game, Office of Oil Spill Prevention and Response, for providing input into the San Francisco Bay/San Joaquin Delta Area Contingency Plan for oil spills and development of a Memorandum of Understanding with the State for oil spill response; providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 192-97-003. [State Grant, Cesar Chavez Street Improvements] Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept, and expend up to \$570,000 in State Flexible Congestion Relief funds for the engineering design of a bicycle bridge within the Cesar Chavez Street Circle (formerly Army Street Circle) at US 101, the widening of an existing bicycle/pedestrian pathway, pedestrian ramps, a new traffic signal at the intersection of Cesar Chavez Street and Connecticut Street, and sidewalk improvement along the south side of Cesar Chavez Street, from Evans Avenue to Mississippi Street; reimbursement of indirect costs will apply. (Department of Parking and Traffic) Referred to Economic Development, Transportation and Technology.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Teng, Bierman, that letters be sent to Director of Planning and Chief of Police requesting a list of all of the Alcoholic Beverage Special Use Districts in San Francisco, including the boundaries, specific controls and length of control and a list of all areas of oversaturation (number of alcoholic beverage licenses exceeding the allowable number and crimes which are 20 percent above the city-wide average) in the City, specified by Census Tract numbers and police plot numbers.

By Supervisors Yaki, Bierman, that letter be sent to General Manager, Recreation and Park Department, requesting report on the beating of a youth at a Recreation and Park Department sponsored game at the Oceanview Recreation Center, including what response, if any, has been given to the parents of the boy who suffered the worst beating, as well as a report detailing security efforts at night games sponsored by the Recreation and Park Department.

By Supervisor Brown, that City Attorney review the Kansas City precedent for the purpose of adoption in San Francisco to create new opportunities for youth employment through capital improvement projects.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Leo Rooney (Supervisor Bierman)

File 2-97-8

Unanimously adopted by a rising vote.

Monday, February 24, 1996

ADJOURNMENT

There being no further business, the Board at the hour of 2:57 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 7, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, March 3, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, March 3, 1997 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Bierman, Leal, Katz - 3.

Quorum present.

Supervisor Bierman was noted present at 2:12 p.m.

Supervisor Leal was noted present at 2:01 p.m.

Supervisor Katz was noted present at 2:46 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Teng, moved that the Journal of Proceedings for Monday, December 23, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Leal, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Katz - 2.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$100,000, Recreation and Park Department, from a General Fund Reserve, for an integrated pesticide plan for training, materials and supplies, equipment and services of other department for fiscal year 1996-97. (Supervisors Leal, Teng)

File 101-96-33, Ordinance No. 82-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Public Health]

Ordinance appropriating \$62,310, Department of Public Health, of new State tobacco tax revenues and reallocating \$802,138 between various community health services and San Francisco general tobacco tax appropriations to reflect current expenditure plans, including \$229,744 appropriation of tobacco tax revenues for fringe benefits at San Francisco General Hospital for fiscal year 1996-97. (Controller)

File 101-96-42, Ordinance No. 83-97

(Fiscal Impact.)

Monday, March 3, 1997

Finally passed.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$315,250, Recreation and Park Department, of Recreation and Park Revenue for contractual services at the park to reimburse the San Francisco Giants for the installation of the "Out of Town" scoreboard at 3COM Park and Candlestick Point for fiscal year 1996-97. (Controller)

File 101-96-45, Ordinance No. 84-97

(Fiscal Impact.)

Finally passed.

[Amendment to MOU, Local 261]

Ordinance amending Ordinance No. 172-96 to correct clerical errors and omissions to the provisions of the Memorandum of Understanding between the Laborers' International Union of North America, Local 261 and the City and County for the period July 1, 1996 through June 30, 1997. (Department of Human Resources)

File 93-96-14.1, Ordinance No. 81-97

Finally passed.

Adopted

[Accepting Gift - Lucille and George Jewett, Jr.]

Resolution accepting and acknowledging a gift of \$12,315.70, provided to the City and County by Lucille and George Jewett, Jr. for the maintenance of the permitted Lyon Street Garden during calendar year 1996, and thanking Lucille and George Jewett, Jr. for their generous and beneficial gift. (Supervisor Kaufman)

File 38-97-1, Resolution. 198-97

Adopted.

#### Recommendations of Housing and Neighborhood Services

Passed for Second Reading

[Sidewalk Width Regulations]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" changing the official sidewalk width on the north side of Lucerne Street southeasterly of Brannan Street, as shown on the Department of Public Works drawing labeled Q-20-473 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-97-3, Ordinance No.

(Adds Section 1538.)

Passed for second reading.

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Department of Parking and Traffic)

File 18-97-1, Resolution No. 195-97

(Stop Signs - Establish

10th Avenue and Lawton Street, northeast and southwest corners, stopping Lawton Street (makes this an all-way STOP);

19th and Alabama Streets, northwest and southeast corners, stopping Alabama Street (makes this a two-way STOP);

21st Avenue and Ortega Street, northwest and southeast corners, stopping 21st Avenue (makes this an all-way STOP);

40th Avenue and Anza Street, northwest and southeast corners, stopping 40th Avenue (makes this an all-way STOP);

Monday, March 3, 1997

Baker and Greenwich Streets, northeast and southwest corners, stopping Greenwich Street (makes this an all-way STOP);

Greenwich and Octavia Streets, northeast and southwest corners, stopping Greenwich Street (makes this an all-way STOP);

Selby Street and Kirkwood Avenue, northwest and southeast corners, stopping Selby Street (makes this a two-way STOP);

Selby Street and McKinnon Avenue, northwest and southeast corners, stopping Selby Street (makes this a two-way STOP);

Selby Street and Newcomb Avenue, northwest and southeast corners, stopping Selby Street (makes this a two-way STOP).

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Department of Parking and Traffic)

File 19-97-1, Resolution No. 196-97

NO PARKING ANYTIME - RESCIND

Malvina Place, both sides, from Mason Street to west terminus (to be replaced by two-hour parking at the west terminus and "Tow-Away, No Parking Anytime" zones for the remainder of the block).

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Malvina Place, both sides, from Mason Street to 110 feet westerly (110-foot zone, replacing a portion of the existing "No Parking Anytime" zone).

TWO-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Malvina Place, both sides, from 110 feet to 130 feet west of Mason Street (20-foot zone on each side, creating two parking spaces at the west terminus).

ONE-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

3rd Street, west side, between Newhall Street and Kirkwood Avenue:

Kirkwood Avenue, north side, between 3rd and Newhall Streets.

Adopted.

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets. (Department of Parking and Traffic)

File 20-97-1, Resolution No. 197-97

BICYCLE LANES - ESTABLISH

11th Street, both curb lanes (northbound and southbound), between 13th and Mission Streets;

11th Street, east curb lane (northbound only), between Mission and Market Streets;

Polk Street, east and west curb lanes (northbound and southbound), between Lombard and Union Streets;

Polk Street, west curb lane (southbound), between Beach and Lombard Streets.

ONE-WAY STREET - RESCIND

Elm Street, eastbound, between Van Ness Avenue and Polk Street (to be converted to one-way westbound).

ONE-WAY STREET - ESTABLISH

Elm Street, westbound, between Van Ness Avenue and Polk Street (replaces one-way eastbound regulation);

Monday, March 3, 1997

Linares Avenue, northbound, between 8th Avenue intersections (adjacent to raised traffic island approximately 200 feet south of Ortega Street).

STREET CLOSURE FOR TABLES AND CHAIRS, 11 AM - 2 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Commercial Street, between Sansome and Leidesdorff Streets.

TOW-AWAY LANE MUST TURN RIGHT - ESTABLISH

Gilman Avenue, westbound, at 3rd Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Graystone Terrace, north side, from Iron Alley to 170 feet westerly (170-foot zone, replacing existing red zone);

Graystone Terrace, north side, from Iron Alley to 79 feet easterly (79-foot zone, replacing existing red zone);

Kearny Street, west side, from Filbert Street to 19 feet southerly (19-foot zone, replacing existing red zone).

TOW-AWAY, NO STOPPING, 4 PM - 6 PM, MONDAY THROUGH FRIDAY, RESCIND

Main Street, west side, between Market and Mission Streets (restores 16 parking meter stalls during specified hours)

TOW-AWAY, NO STOPPING, 7 AM - 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH

Franklin Street, east side, between Bush and Fern Streets (eliminates 2 parking meter stalls during specified hours)

Adopted.

[Residential Parking Area "S", Duboce Triangle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area adding to the list of streets upon which time limitations shall apply (adds Page Street, between Buchanan and Laguna Streets, both sides). (Department of Parking and Traffic)

File 40-96-31, Resolution No. 183-97

Adopted.

[Residential Parking Area "W", SFGH Area]

Resolution extending the boundaries and revising time limitations for certain streets of Residential Permit Parking Area "W" in the San Francisco General Hospital area and adding to the list of streets upon which time limitations shall apply (adds 19th Street, between Hampshire Street and Potrero Avenue, both sides and 25th Street, between Bryant and York Streets, both sides). (Department of Parking and Traffic)

File 40-97-1, Resolution No. 199-97

Adopted.

Recommendations of Rules Committee

Passed for Second Reading

[Sandra McCabe v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Sandra McCabe against the City and County of San Francisco by payment of \$12,500. (City Attorney)

File 45-97-14, Ordinance No.

(Superior Court No. 970-169.)

Passed for second reading.

[Roberto Flores v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Roberto Flores against the City and County of San Francisco by payment of \$6,500. (City Attorney)

File 45-97-15, Ordinance No.

Monday, March 3, 1997

(Superior Court No. 964-282.)

Passed for second reading.

[Donna Gamboni v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Donna Gamboni against the City and County of San Francisco by payment of \$11,000. (City Attorney)

File 45-97-16, Ordinance No.

(Municipal Court No. 118-486.)

Passed for second reading.

[Feng Yee Yang Ng v. CCSF]

Ordinance authorizing settlement of litigation of Feng Yee Yang Ng against the City and County of San Francisco by payment of \$11,500. (City Attorney)

File 45-97-17, Ordinance No.

(Superior Court No. 959-571.)

Passed for second reading.

[Heather Connor/Jason Jessee v. CCSF et al.]

Ordinance authorizing settlement of litigation of Heather Connor and Jason Jessee against the City and County of San Francisco by payment of \$70,000, total to both plaintiffs. (City Attorney)

File 45-97-18, Ordinance No.

(Superior Court No. 958-718.)

Passed for second reading.

[George Byron Mills, Jr. et al. v. CCSF et al.]

Ordinance authorizing settlement of litigation of George Byron Mills, Jr., individually and as executor of the estate of Alice Marie Mills, Judy Mills Porter and Anita Mills Thompson against the City and County of San Francisco by payment of \$182,054. (City Attorney)

File 45-97-19, Ordinance No.

(Superior Court No. 969-086.)

Passed for second reading.

[CCSF v. County of Alameda]

Ordinance authorizing settlement of litigation of City and County of San Francisco against the County of Alameda for property tax refunds in the amount of \$5,138,761.82 in principal and interest. (City Attorney)

File 46-97-2, Ordinance No.

(Marin Superior Court No. 133-826.)

Passed for second reading.

[CCSF v. County of San Mateo]

Ordinance authorizing settlement of litigation of City and County of San Francisco against the County of San Mateo for property tax refunds in the amount of \$2,486,478.62 in principal and interest, subject to approval by members of the Bay Area Water Users Association. (City Attorney)

File 46-97-3, Ordinance No.

(Marin Superior Court Nos. 132-479 and 137-403.)

Passed for second reading.

Adopted

Monday, March 3, 1997

[Settlement of Claim, Cecelia E. Chase]  
Resolution approving the settlement of the unlitigated claim of Cecelia E. Chase by payment of \$7,500.00. (City Attorney)

File 48-97-5, Resolution No. 200-97

Adopted.

[Settlement of Claim, Jeffrey Hornback]  
Resolution approving the settlement of the unlitigated claim of Jeffrey Hornback by payment of \$10,000.00. (City Attorney)

File 48-97-6, Resolution No. 201-97

Adopted.

[Settlement of Claim, Fatima Maru]  
Resolution approving the settlement of the unlitigated claim of Fatima Maru by payment of \$6,500.00. (City Attorney)

File 48-97-7, Resolution No. 202-97

Adopted.

[Settlement of Claim, Dennys Rodriguez]  
Resolution approving the settlement of the unlitigated claim of Dennys Rodriguez by payment of \$10,500.00. (City Attorney)

File 48-97-8, Resolution No. 203-97

Adopted.

[Settlement of Claim, Michelle Alexander]  
Resolution approving the settlement of the unlitigated claim of Michelle Alexander by payment of \$30,000.00. (City Attorney)

File 48-97-13, Resolution No. 204-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10

Absent: Supervisor Katz - 1.

#### REGULAR CALENDAR

#### NEW BUSINESS

#### Recommendations of Finance Committee

#### Passed for Second Reading

[Appropriation, District Attorney]  
Ordinance appropriating \$82,727, District Attorney's Office, from the General Fund Reserve, for salaries and fringe benefits for the creation of three (3) positions to expand the Domestic Violence Unit, for fiscal year 1996-97. (Supervisors Kaufman, Teng)

File 101-96-47, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Monday, March 3, 1997

[Salary Ordinance Amendment, District Attorney]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97), District Attorney's Office, Domestic Violence Unit, reflecting the creation of three (3) positions (Class 8178 Senior Attorney (2), and Class 8180 Principal Attorney (1)); companion measure to File 101-96-47. (Supervisor Kaufman)

File 102-96-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Grievance Settlement Authority]

Ordinance amending Administrative Code authorizing the Human Resources Director to settle grievances filed pursuant to valid Memoranda of Understanding in amounts not to exceed \$50,000 for class actions and \$10,000 for individuals, with approval of the City Attorney and certification of funds by the Controller; authorizing appointing officers to settle grievances filed pursuant to valid Memoranda of Understanding in amounts not to exceed 45 days of pay subject to the procedures of the Department of Human Resources, approval of the City Attorney and certification of funds by the Controller; requiring quarterly reports from the Human Resources Director summarizing all settlements authorized under the provisions of this section. (Department of Human Resources)

File 93-97-2, Ordinance No.

(Adds Section 10.25-12.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Consideration Continued

[Bay Area Cellular Telephone Co. Transmitter Lease]

Resolution authorizing and approving a lease of wireless transmitter and antennae space within and on Laguna Honda Hospital to Bay Area Cellular Telephone Company, without competitive bidding. (Real Estate Department)

File 65-97-1, Resolution No.

Supervisor Leal, seconded by Supervisor Ammiano, moved to continue consideration to March 17, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Recommendations of Housing and Neighborhood Services

Passed for Second Reading

[Weight Restrictions]

Ordinance adding and amending the Traffic Code regarding the weight restrictions on Blanken and Tunnel Avenues. (Department of Parking and Traffic)

File 124-97-1, Ordinance No.

(Adds Sections 28.1.96 and 28.1.97; amends Section 28.2.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Referred to Committee

[Turn Restrictions, Bicycles and Motorcycles]

Ordinance amending the Traffic Code regarding the exemption of bicycles and motorcycles from turn restrictions. (Department of Parking and Traffic)

Monday, March 3, 1997

File 124-96-9, Ordinance No.

(Amends Section 34; adds Section 24.2 et seq.)

Supervisor Teng, seconded by Supervisor Yaki, moved to refer to Joint Economic Development, Transportation, Technology/Housing and Neighborhood Services Committee for consideration March 18, 1997.

Motion to refer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Adopted

[Inner Sunset Alcoholic Beverage Special Use District]  
Resolution imposing Interim Zoning Controls to establish the Inner Sunset Alcoholic Beverage Special Use District and prohibit introduction of new establishments, or any expansion of existing establishments, subject to specified exceptions, selling alcoholic beverages in this Special Use District generally bounded by Lincoln Way, Seventh Avenue, Judah Street and Eleventh Avenue, for an eighteen (18) month period and making determination of consistency with the priority policies of Planning Code Section 101.1. (Supervisor Teng)

File 111-96-4, Resolution No. 186-96

(General Rule Exclusion from environmental review.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Rereferred to Committee

[Interim Zoning Control, West Portal NCD]  
Resolution imposing Interim Zoning Controls to prohibit introduction of new bars, full-service restaurants, specialty groceries, and retail coffee stores in the West Portal Avenue Neighborhood Commercial District (as defined in Planning Code, Section 729.1 et seq.) for an eighteen (18) month period and making determination of consistency with the Priority Policies of Planning Code Section 101.1. (Supervisors Teng, Bierman)

File 111-96-5, Resolution No.

(General Rule Exclusion from environmental review.)

Supervisor Teng, seconded by Supervisor Bierman, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Liquor License, 821 Divisadero Street]  
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Musa and Khaled Dajani for a wine bar at 821 Divisadero Street, will serve the convenience of the people of the City and County of San Francisco. (Housing and Neighborhood Services Committee)

File 223-97-3, Resolution No. 210-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Liquor License Transfer, 2425A California Street]  
Resolution determining that the transfer of a Type 20 off-sale beer and wine license with conditions to Michael G. Temple and Alan J. Pricco for VINO, Inc., from 533A Sutter Street to 2425A California Street, will serve the convenience of the people of the City and County of San Francisco. (Housing and Neighborhood Services Committee)

File 223-97-4, Resolution No. 211-97



Monday, March 3, 1997

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Recommendations of Rules Committee

Passed for Second Reading

[Veterans Affairs Commission]

Ordinance amending Administrative Code, which sets forth the membership criteria for the Veterans Affairs Commission, by deleting certain membership criteria for persons who served in the United States Armed Forces prior to 1941, 1950, 1964, 1975 and after 1975, and who are "stress disabled" and by replacing such membership designations to require only that at least three members of the commission be women veterans and that at least one be physically disabled as a result of service. (Supervisor Kaufman)

File 97-97-7, Ordinance No.

(Amends Section 5.102)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Adopted

[Reimbursement to Employees, 4th Quarter 1996]

Resolution authorizing reimbursement for the cost of personal property of City and County employees damaged/stolen in the line of duty, in the amount of \$251.00. (Controller)

File 51-96-4.1, Resolution No. 184-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the December 1, 1997 and December 29, 1997 meetings and by canceling all Board and committee meetings from August 26, 1997 through September 14, 1997; and directing the Clerk of the Board of Supervisors to make public notification of such changes. (Supervisor Kaufman)

File 54-97-1, Resolution No. 205-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Appointment]

Delinquency Prevention Commission]

Resolution appointing members to the Delinquency Prevention Commission for new four year term ending December 31, 2000. (Rules Committee)

File 92-96-58, Resolution No. 185-97

(Eric Quezada, vice Arnold Laub, Seat 21814;  
Joe Lee, vice James Howard, Seat 21815.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Appointment, Health Authority]

Resolution appointing governing body members to the San Francisco Health Authority. (S.F. Health Authority)

File 92-97-3, Resolution No. 206-97

Monday, March 3, 1997

(Libah Sheppard, vice Sandra Stewart, resigned, Seat 50610, January 15, 1998, for unexpired portion of three year term, Beneficiary Committee of Health Authority;  
Frederick Hobson, vice Judith Bell, resigned, 50611, January 15, 2000, for three year term, Beneficiary Committee of Health Authority.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointment, Health Authority Governing Body]

Resolution appointing Supervisor Michael Yaki to serve on the governing body of the San Francisco Health Authority. (San Francisco Health Plan)

File 92-97-3.1, Resolution No. 207-97

(Supervisor Michael Yaki, vice Supervisor Susan Leal, resigned, Seat 50601, term indefinite.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointments]

Resolution appointing members to the Lead Poisoning Prevention Citizens Advisory Committee. (Rules Committee)

File 92-97-4.1, Resolution No. 208-97

(Loretta Krueger, vice Amy Vanacore, resigned, Seat 26617 - expertise in immigrant services; Maria Luz Torre, vice Tracy Brown, resigned, Seat 26623 - parent; for unexpired portion of four year terms ending August 20, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Frances Sander, commend Police Department;  
Frederick Hobson, San Francisco Health Authority, Dr. Carlton Goodlett;  
Leboria P. Smoore, police brutality, constitution for poor people;  
Reuben David Goodman, police investigation;  
Constance Kuruppu, police issues;  
Steve Robinson, oppose settlement, Robinson Construction Company  
Male speaker, about Dr. Carlton Goodlett.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Long Term Care Pilot Project Task Force]

Resolution amending Resolution No. 1024-96 which created a Long Term Care Pilot Project Task Force, by adding an additional member to represent labor (increases total membership to 27). (Supervisors Ammiano, Bierman, Katz)

File 174-96-004.01, Resolution No. 187-97

(February 24, 1997 - Introduced in Board for consideration on March 3, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

Monday, March 3, 1997

[Proclaim National Women's History Month]

Resolution recognizing the month of March as National Women's History Month and commending Sisterhood of Levi Strauss & Company for their work in bringing awareness of the contributions of women. (Supervisors Kaufman, Katz, Teng, Bierman, Leal)

File 004-97-007, Resolution No. 188-97

(February 24, 1997 - Introduced in Board for consideration on March 3, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Teng, Bierman, Leal requested to be added as co-sponsors.

[Proclaim Festival of Chinese Cuisine Day]

Resolution proclaiming March 1, 1997 as "The San Francisco International Festival of Chinese Cuisine Day". (Supervisors Teng, Yee, Kaufman, Katz, Bierman, Leal)

File 004-97-008, Resolution No. 189-97

(February 24, 1997 - Introduced in Board for consideration on March 3, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Bierman, Leal requested to be added as co-sponsors.

[Commend Asian American Film Festival Week]

Resolution commemorating the 15th San Francisco International Asian American Film Festival Week in San Francisco. (Supervisors Teng, Yaki, Katz, Newsom, Leal)

File 006-97-024, Resolution No. 190-97

(February 24, 1997 - Introduced in Board for consideration on March 3, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Commend Retired Senior Volunteer Program]

Resolution commending the Retired Senior Volunteer Program on their 24th Anniversary. (Supervisors Teng, Yaki, Katz, Newsom, Yee, Kaufman, Bierman, Leal)

File 006-97-025, Resolution No. 191-97

(February 24, 1997 - Introduced in Board for consideration on March 3, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Commend Ong Ko Met Benevolent Association]

Resolution commending Ong Ko Met Benevolent Association for their commitment to the Chinese American Community and declaring March 1, 1997 as "Ong Ko Met Benevolent Association Day" in San Francisco. (Supervisors Teng, Katz, Yaki, Newsom, Yee, Kaufman, Bierman, Leal)

File 006-97-026, Resolution No. 192-97

(February 24, 1997 - Introduced in Board for consideration on March 3, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal requested to be added as co-sponsors.

[Bammies Walk of Fame, Gift Acceptance]

Resolution designating the public right of way fronting the Bill Graham Civic Auditorium along Grove Street as eligible for the installation and maintenance of commemorative plaques, pursuant to Public Works Code Section 789.2(a), in order to honor musicians and other individuals that have contributed to the musical heritage of the San Francisco Bay Area, identifying this area as the "Bammies Walk of Fame." making findings of conformity with the General Plan and consistency with the eight priority policies of Planning Code Section 101.1 and accepting the gift of installation of the plaques. (Supervisors Kaufman, Yaki, Katz, Teng, Leal)

Monday, March 3, 1997

File 200-97-004, Resolution No. 167-97

(February 24, 1997 - Introduced in Board for consideration on March 3, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Teng, Leal requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom)

File 030-97-001.03

(February 24, 1997 - Introduced in Board for consideration on March 3, 1997.)

Adopted.

[Final Map]

Motion approving final map of 1171-1181 Filbert Street, a Residential Condominium Project, being a subdivision of Lot 30 in Assessor's Block No. 97, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 058-97-002

(February 24, 1997 - Referred to Board for consideration on March 3, 1997.)

Adopted.

[Extend MOU Negotiation Period]

Motion extending time for negotiations pursuant to Charter Section 11.100. (Mayor Brown)

File 093-97-001.01

(February 26, 1997 - Referred to Board for consideration on March 3, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following motions:

Adopted

[Serious Injury Finding]

Motion that the Boards find by roll call vote that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Medina, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Purely Commendatory Finding]

Motion that the Boards find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Medina, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Brown Act Finding]

Motion that the Boards find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Medina, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Imperative Resolutions]

Adopted

[Victim Notification Implementation Plan]

Resolution authorizing the Sheriff to sign the Victim Notification Implementation Plan and agreement for State funding, as well as related contracts, amendments, or extensions with the State of California.

File 152-97-001, Resolution No. 182-97

Supervisors Kaufman, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Commend Chinese Grace Church]

Resolution commending members of the Chinese Grace Church for their citizenship and contributions to the quality of life to all residents of San Francisco, and congratulating the church for ten years of existence.

File 006-97-027, Resolution No. 193-97

Supervisors Yee, Bierman, presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Commend Reverend Calvin Wong]

Resolution commending Reverend Calvin Wong, founding pastor of the Chinese Grace Church, for his devotion to his faith and his community.

File 006-97-028, Resolution No. 194-97

Supervisors Yee, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Monday, March 3, 1997

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Zoning Map Amendment]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at Scott and Post Streets of Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681 from an RH-3 (Residential, House, Three Family) District and NC-3 (Moderate-scale Neighborhood Commercial) District to an RH-3 (Residential, House, Three Family) District and NC-3 (Moderate-scale Neighborhood Commercial) District and the Scott Street Senior Housing Special Use District; finding consistency with Planning Code Section 101.1. Supervisors Kaufman, Leal presented. Referred to Housing and Neighborhood Services Committee.

File 036-97-001.

[Zoning Map Amendment]

Ordinance adopting changes in property height and bulk classification as an amendment to the Zoning Map of the City and County of property located in the Scott Street Seniors Housing District in Assessor's Parcel No. Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681 from 50-X and 65-A Districts to special exceptions: Scott Street Senior Housing Special Use District; finding consistency with Planning Code Section 101.1. Supervisors Kaufman, Leal presented. Referred to Housing and Neighborhood Services Committee.

File 036-97-002.

[Senior Housing Special Use District]

Ordinance amending Planning Code by adding Section 249.19 to create a Senior Housing Special Use District at Scott and Post Streets consisting of Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 of Assessor's Block 681; finding consistency with Planning Code Section 101.1. Supervisors Kaufman, Leal presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-004.

[Scott Street Senior Housing, Height and Bulk]

Ordinance amending Planning Code by adding Section 263.14 to create special height and bulk exceptions for the Scott Street Senior Housing Special Use District at Scott and Post Streets on Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681; finding consistency with Planning Code Section 101.1. Supervisors Kaufman, Leal presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-005.

[Bicycle Rack on Sidewalk Regulations]

Ordinance amending Traffic Code by adding Section 219.3 authorizing the Department of parking and Traffic to install or grant permits to install bicycle racks on sidewalks. Supervisor Katz presented. Referred to Housing and Neighborhood Services Committee.

File 124-97-003.

Referred to Board

[Commend Cultural Services Center]

Resolution commending Charity Cultural Services Center on their 14th Anniversary and declaring May 30, 1997 as "Charity Cultural Services Center Day" in San Francisco. Supervisors Teng, Yaki, Kaufman, Yee, Newsom, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 10, 1997.

File 006-97-029.

Referred to Committee

[Right to Know - Toxic Substances]

Resolution supporting strengthening the Federal Community Right to Know Act. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 013-97-005.

Monday, March 3, 1997

Referred to Board

[Child and Adult Immunization]

Resolution urging the Mayor to approve additional funding to implement the immunization plan for San Francisco residents. Supervisors Leal, Kaufman, Yaki, Ammiano, Teng, Newsom, Medina, Katz, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 10, 1997.

File 030-97-004.

Referred to Committee

[Carlton Goodlett Place]

Resolution expressing the support of the Board of Supervisors to change the San Francisco City Hall address from Polk Street, between Grove and McAllister Streets, to Carlton Goodlett Place. Supervisors Brown, Yaki, Bierman, Teng, Ammiano, Newsom, Yee, Katz, Kaufman presented. Referred to Economic Development, Transportation and Technology Committee.

File 075-97-001.01.

[Mid-Mission Liquor Moratorium]

Resolution imposing interim zoning controls to establish the Mid-Mission Alcoholic Beverage Special Use District and prohibit the introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the area generally bounded by Cesar Chavez Street, Mission Street, Randall Street, San Jose Avenue and Guerrero Street for an eighteen (18) month period and making determination of consistency with the priority policies of Planning Code Section 101.1. Supervisor Katz presented. Referred to Housing and Neighborhood Services.

File 111-97-003.

Referred to Board

[Integrated Pest Management Plan Grant]

Resolution authorizing the Agricultural Commissioner of the City and County to accept and expend up to \$75,000 in Environmental Protection Agency (EPA) pest management grant funding from the EPA through the California Department of Pesticide Regulation (DPR) and EPA to facilitate adoption of integrated pest management and perform education and outreach with respect to the City's integrated pest management program. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar March 10, 1997.

File 133-97-002.

[Juvenile Crime Enforcement Grant]

Resolution amending Resolution in File 214-96-3.1 to authorize the Juvenile Probation Department to apply for up to \$6,150,000 instead of \$3,150,000 in grants from the State Board of Corrections under the Juvenile Crime Enforcement and Accountability Challenge Grant program. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar March 10, 1997.

File 141-97-001.

Referred to Committee

[South of Market Project Area Committee]

Resolution approving and adopting procedures in the Articles of formation for a Redevelopment Project Area Committee for the South of Market Redevelopment Project. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 161-97-003.

Referred to Board

[Trees, Hallidie Plaza]

Resolution urging the Department of Public Works to delay the planned removal of trees at Hallidie Plaza and encouraging the Department of Public Works to consider alternatives to removing the trees. Supervisors Katz, Bierman, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 10, 1997.

File 200-97-005.

Monday, March 3, 1997

**[Disaster Relief Funding]**

Resolution authorizing designated City and County officials to execute and file, on behalf of the City and County of San Francisco, an application for Federal and/or State financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the late 1996 early 1997 winter storms. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 10, 1997.

File 270-97-002.

**Requests for Hearings:**

**[Redevelopment Agency Quarterly Report]**

Hearing to consider the San Francisco Redevelopment Agency's 1996-1997 Second Quarterly Financial and Performance Report. Supervisor Leal presented. Referred to Finance Committee.

File 161-96-008.01.

**[Bus Stop Discontinuance Notification Period]**

Hearing to consider the feasibility of lengthening the notification period of bus stop discontinuance from 48 hours to one week. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 007-97-005.

**[Sewer Rates]**

Hearing to consider the sewer rates. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 021-97-001.

**[Children and Youth Multi-service Centers]**

Hearing to consider the establishment of one-stop multi-service centers for children and youth. Supervisor Yee presented. Referred to Health, Family and Environment Committee.

File 215-97-001.

**Motions:**

**[Ballot Argument, Public Utility Revenues]**

Motion approving proponent's ballot argument in favor of charter amendment concerning public utility revenues. Supervisor Kaufman presented. Referred to Rules Committee.

File 280-96-002.

Referred to Board

**[Public Health Director's Report]**

Report by Dr. Sandra Hernandez, Director of Public Health on the state of the City's health care. Scheduled for Board meeting April 28, 1997, as a special order of business at 3:00 p.m. by direction of the President.

File 030-97-005.

**[Off Site Committee Meeting]**

Motion ordering the April 1997 meeting of the Housing and Neighborhood Services Committee of the Board of Supervisors to be held on April 16, 1997, 5:30 p.m. at the Southeast Community Facility, 1800 Oakdale Avenue. Supervisor Teng presented. Referred to Rules Committee with request it be considered at the March 11, 1997 meeting.

File 054-97-002.

**[Ballot Argument, Cultural Facility Bonds]**

Motion approving proponent's ballot argument in favor of a proposition concerning cultural facility bonds. Supervisor Kaufman presented. Referred to Finance Committee.

File 060-97-002.01.



Monday, March 3, 1997

[Ballot Argument, Educational Facility Bonds]

Motion approving proponent's ballot argument in favor of proposition concerning education facility bonds. Supervisor Teng presented. Referred to Finance Committee.

File 060-97-002.02.

[Ballot Argument, Zoo Bonds]

Motion approving proponent's ballot argument in favor of proposition concerning zoo bonds. Supervisor Yaki presented. Referred to Finance Committee.

File 060-97-002.03.

[Ballot Argument, Stadium Bonds]

Motion approving proponent's ballot argument in favor of proposition concerning stadium bonds. Supervisor Brown presented. Referred to Finance Committee.

File 060-97-003.02.

Referred to Board

[December Winter Storm of 1996 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 10, 1997.

File 270-97-001.04.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-020. [Robinson Construction Company v. CCSF] Ordinance authorizing settlement of litigation of Robinson Construction Company against the City and County of San Francisco by payment of \$996,747.69. (Santa Clara County Superior Court Case No. CV760245) (City Attorney) Referred to Rules Committee.

File 045-97-025. [Loretia Yan v. CCSF et al.] Ordinance authorizing settlement of litigation of Loretia Yan against the City and County of San Francisco by payment of \$30,000. (Superior Court No. 976-294) (City Attorney) Referred to Rules Committee.

File 045-97-026. [Marvin Woodside v. CCSF et al.] Ordinance authorizing settlement of litigation of Marvin Woodside v. City and County of San Francisco, et al., by payment of \$32,500. (Superior Court No. 978-454) (City Attorney) Referred to Rules Committee.

File 046-97-004. [CCSF v. General Engineering and Machine Works] Ordinance authorizing settlement of litigation in City and County of San Francisco v. General Engineering and Machine Works, by accepting payment to Laguna Honda Hospital of \$75,000. (Superior Court No. 972391) (City Attorney) Referred to Rules Committee.

File 046-97-005. [Pleasant Hill Cremation Cases] Ordinance authorizing partial settlement against certain defendants in a class action entitled In Re: Pleasant Hill Cremation Cases, with payment of a total of \$3,380,000 for administrative and litigation costs, attorney's fees, maintenance of a memorial, and payment of claims submitted by class members. (Also see File 46-95-4) (Superior Court No. 943703) (City Attorney) Referred to Rules Committee.

File 103-97-001. [1996-97 Salary Survey for Registered Nurses] Ordinance adjusting and fixing schedules of compensation effective July 1, 1996, to be paid under the provisions of Charter Section 8.403 to employees occupying classifications: 2320 Registered Nurse, 2323 Clinical Nurse Specialist, 2330 Anesthetist, 2340 Operating Room Nurse, 2830 Public Health Nurse, 2328 Nurse Practitioner, P108 Special Nurse, continuing by reference the incorporation of a Memorandum of Understanding between the City and County of San Francisco and SEIU Local 790 (Staff Nurses) which established conditions and benefits of employment other than wages for said classifications. (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 040-97-007. [Residential Parking Area "I", Bartlett Street] Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

Monday, March 3, 1997

File 049-97-001. [Settlement of Claim, New Flyer of America] Resolution approving the settlement of unlitigated claims of the City and County of San Francisco against New Flyer of America. (City Attorney) Referred to Rules Committee.

File 143-97-001. [Alcoholic Beverage Control Grant Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of Forty Thousand Dollars (\$40,000.00) for a six month extension of an existing project known as the "Alcoholic Beverage Control Grant Program"; no local match is required. (Police Department) Referred to Housing and Neighborhood Svcs Committee.

File 146-97-005. [Hazardous Materials Emergency Response Equipment] Resolution rescinding Resolution No. 74-97 and authorizing the Department of Public Health, Bureau of Environmental Health, to retroactively apply for, accept and expend a grant from the California Environmental Protection Agency, Department of Toxics Substances Control, in the amount of \$8,500, for hazardous materials emergency response equipment; waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 170-97-001. [Execution of Bond Document] Resolution authorizing execution of consent to the Developer Loan Assignment and Assumption Agreement relating to the Housing Authority of the City and County of San Francisco Variable Rate Demand Multifamily Housing Revenue Bonds, 1985 Series D (737 Post Project); and ratifying actions previously taken. (Mayor's Office of Housing) Referred to Finance Committee.

File 244-97-003. [Treasure Island Development Authority] Resolution authorizing the incorporation of the Treasure Island Development Authority and approving and ratifying certain actions in connection therewith. (Mayor), 30 Day Rules expires 3/28/97. Referred to Economic Development, Transportation and Technology Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter be sent to Director of Health to determine what alternative proposal is being contemplated to retain the HIV testing services at City College in light of the decision to not fund these services with Ryan White CARE Act funds.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Judy Bari (By the entire Board)  
Pam Levinson (Supervisor Bierman)  
R. Russell Campbell (By the entire Board)

File 2-97-9

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 3:58 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 14, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, March 10, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, March 10, 1997 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Barbara Kaufman, the meeting was called to order at 2:06 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Noted absent at first roll call:

Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

Quorum present.

Supervisor Bierman excused. (See infra.)

Supervisor Kaufman excused. (See infra.)

Supervisor Leal excused. (See infra.)

Supervisor Medina excused. (See infra.)

Supervisor Yaki excused. (See infra.)

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Ammiano, seconded by Supervisor Teng, moved that Supervisor Brown be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

Supervisors Bierman, Leal, Kaufman, Medina, Yaki Excused

The Clerk stated Supervisors Bierman, Kaufman, Leal, Medina and Yaki requested to be excused from attending today's meeting.

Supervisor Ammiano, seconded by Supervisor Katz, moved to excuse Supervisors Bierman, Kaufman, Leal, Medina and Yaki from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Katz, seconded by Supervisor Newsom, moved that the Journals of Proceedings for Monday, January 6; Wednesday, January 8; and Monday, January 13, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Monday, March 10, 1997

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, District Attorney]

Ordinance appropriating \$82,727, District Attorney's Office, from the General Fund Reserve, for salaries and fringe benefits for the creation of three (3) positions to expand the Domestic Violence Unit, for fiscal year 1996-97. (Supervisors Kaufman, Teng)

File 101-96-47, Ordinance No. 85-97

Finally passed.

[Salary Ordinance Amendment, District Attorney]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97), District Attorney's Office, Domestic Violence Unit, reflecting the creation of three (3) positions (Class 8178 Senior Attorney (2), and Class 8180 Principal Attorney (1)); companion measure to File 101-96-47. (Supervisor Kaufman)

File 102-96-10, Ordinance No. 86-97

Finally passed.

[Grievance Settlement Authority]

Ordinance amending Administrative Code authorizing the Human Resources Director to settle grievances filed pursuant to valid Memoranda of Understanding in amounts not to exceed \$50,000 for class actions and \$10,000 for individuals, with approval of the City Attorney and certification of funds by the Controller; authorizing appointing officers to settle grievances filed pursuant to valid Memoranda of Understanding in amounts not to exceed 45 days of pay subject to the procedures of the Department of Human Resources, approval of the City Attorney and certification of funds by the Controller; requiring quarterly reports from the Human Resources Director summarizing all settlements authorized under the provisions of this section. (Department of Human Resources)

File 93-97-2, Ordinance No. 96-97

(Adds Section 10.25-12.)

Finally passed.

Recommendations of Housing and Neighborhood Services

Finally Passed

[Sidewalk Width Regulations]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" changing the official sidewalk width on the north side of Lucerne Street southeasterly of Brannan Street, as shown on the Department of Public Works drawing labeled Q-20-473 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-97-3, Ordinance No. 87-97

(Adds Section 1538.)

Finally passed.

[Weight Restrictions]

Ordinance adding and amending the Traffic Code regarding the weight restrictions on Blanken and Tunnel Avenues. (Department of Parking and Traffic)

File 124-97-1, Ordinance No. 98-97

(Adds Sections 28.1.96 and 28.1.97; amends Section 28.2.)

Finally passed.

Monday, March 10, 1997

Recommendation of Health, Family and Environment Committee

Adopted

[Koret Foundation Grant, Senior Services]

Resolution authorizing the City and County of San Francisco Commission on the Aging to apply for, accept, and expend a private grant in the amount of \$25,000 from Koret Foundation; waiving indirect costs and providing for ratification of an action previously taken. (Commission on the Aging)

File 131-97-1, Resolution No. 221-97

Adopted.

Recommendations of Rules Committee

Finally Passed

[Sandra McCabe v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Sandra McCabe against the City and County of San Francisco by payment of \$12,500. (City Attorney)

File 45-97-14, Ordinance No. 88-97

(Superior Court No. 970-169.)

Finally passed.

[Roberto Flores v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Roberto Flores against the City and County of San Francisco by payment of \$6,500. (City Attorney)

File 45-97-15, Ordinance No. 89-97

(Superior Court No. 964-282.)

Finally passed.

[Donna Gamboni v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Donna Gamboni against the City and County of San Francisco by payment of \$11,000. (City Attorney)

File 45-97-16, Ordinance No. 90-97

(Municipal Court No. 118-486.)

Finally passed.

[Feng Yee Yang Ng v. CCSF]

Ordinance authorizing settlement of litigation of Feng Yee Yang Ng against the City and County of San Francisco by payment of \$11,500. (City Attorney)

File 45-97-17, Ordinance No. 91-97

(Superior Court No. 959-571.)

Finally passed.

[Heather Connor/Jason Jessee v. CCSF et al.]

Ordinance authorizing settlement of litigation of Heather Connor and Jason Jessee against the City and County of San Francisco by payment of \$70,000, total to both plaintiffs. (City Attorney)

File 45-97-18, Ordinance No. 92-97

(Superior Court No. 958-718.)

Finally passed.

[George Byron Mills, Jr. et al. v. CCSF et al.]

Ordinance authorizing settlement of litigation of George Byron Mills, Jr., individually and as executor of the estate of Alice Marie Mills, Judy Mills Porter and Anita Mills Thompson against the City and County of San Francisco by payment of \$182,054. (City Attorney)

Monday, March 10, 1997

File 45-97-19, Ordinance No. 93-97

(Superior Court No. 969-086.)

Finally passed.

[CCSF v. County of Alameda]

Ordinance authorizing settlement of litigation of City and County of San Francisco against the County of Alameda for property tax refunds in the amount of \$5,138,761.82 in principal and interest. (City Attorney)

File 46-97-2, Ordinance No. 94-97

(Marin Superior Court No. 133-826.)

Finally passed.

[CCSF v. County of San Mateo]

Ordinance authorizing settlement of litigation of City and County of San Francisco against the County of San Mateo for property tax refunds in the amount of \$2,486,478.62 in principal and interest, subject to approval by members of the Bay Area Water Users Association. (City Attorney)

File 46-97-3, Ordinance No. 95-97

(Marin Superior Court Nos. 132-479 and 137-403.)

Finally passed.

[Veterans Affairs Commission]

Ordinance amending Administrative Code, which sets forth the membership criteria for the Veterans Affairs Commission, by deleting certain membership criteria for persons who served in the United States Armed Forces prior to 1941, 1950, 1964, 1975 and after 1975, and who are "stress disabled" and by replacing such membership designations to require only that at least three members of the commission be women veterans and that at least one be physically disabled as a result of service. (Supervisor Kaufman)

File 97-97-7, Ordinance No. 97-97

(Amends Section 5.102.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

#### REGULAR CALENDAR

#### NEW BUSINESS

#### Recommendation of Finance Committee

Passed for Second Reading

[Appropriation, Medical Examiner/Coroner]

Ordinance appropriating \$22,063, Medical Examiner/Coroner, of Jail Overcrowding Fine Revenue to professional services, materials and supplies, equipment purchase and maintenance for a DUI (driving under influence) Testing Program for fiscal year 1996-97; placing \$34,563 on reserve. (Controller)

File 101-96-49, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.



Monday, March 10, 1997

Recommendations of Health, Family and Environment Committee

Passed for Second Reading

[Industrial Waste Violation Notification]

Ordinance amending Public Works Code to authorize citizens to recover costs incurred in providing information which contributes to the identification of violations of the Industrial Waste Ordinance. (Supervisor Bierman)

File 123-97-1, Ordinance No.

(Amends Section 132.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

[Industrial Waste Violation Citizen Enforcement]

Ordinance amending Public Works Code authorizing citizen suits to enforce against violations of the Industrial Waste Ordinance. (Supervisor Bierman)

File 123-97-2, Ordinance No.

(Adds Section 139.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

[Sewers and Sewage Management]

Ordinance amending Public Works Code to reflect the transfer of responsibilities concerning sewers and sewage management from the Department of Public Works to the General Manager of the Public Utilities Commission, and to reflect the abolition of the position of Chief Administrative Officer and the transfer of responsibilities formerly assigned to that office. (Supervisor Bierman)

File 123-97-3, Ordinance No.

(Amends Article 4.1, Sections 118-138.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

Adopted

[State Grant, Community Violence Prevention]

Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively an additional amount of up to \$500,000 and accept and expend a grant of up to \$750,000, which includes \$12,538 in indirect costs, based on 10 percent of salaries, and a match in the amount of \$62,773, which is 8.5 percent of the direct costs, from the State Department of Social Services, to provide collaborative efforts for providing alternatives to violence in the community. (Department of Public Health)

File 146-97-3, Resolution No. 223-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

Recommendations of  
Economic Development, Transportation and Technology Committee

Monday, March 10, 1997

Adopted

[Grant, American Library/Microsoft Online Program]

Resolution authorizing the San Francisco Public Library through the Friends of the San Francisco Public Library to retroactively accept and expend \$225,000 in cash and in-kind services to be awarded jointly by the American Library Association and Microsoft Corporation, as part of the Libraries Online Program to provide neighborhood access to telecommunications, multimedia and the graphical internet in three branch libraries; waiving indirect costs. (Public Library)

File 147-97-1, Resolution No. 224-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

[Bicycle Plan]

Resolution adopting the San Francisco Bicycle Plan as amended to include errata sheets dated January 7, 1997 (3 pages) and February 27, 1997 (27 pages). (Department of Parking and Traffic)

File 190-97-2, Resolution No. 225-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

[Federal Grant, Lake Merced Blvd. Curb Lane Widening]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively apply for, accept and expend a grant of \$53,000 in State of California Transportation System Management matching funds and in federal funds in the amount of \$370,000 for reconfiguring Lake Merced Boulevard to provide wide curb lanes to improve bicyclists' safety; waiving indirect costs; providing for ratification of action previously taken; placing \$53,000 in State Funds and \$370,000 in Federal Funds on reserve. (Department of Parking and Traffic)

File 192-97-2, Resolution No. 226-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboriae P. Smoore, Alice Griffith Housing, constitution for poor;  
John Johnson, housing projects, lead dust clean-up, painting;  
Jessie Rhodes, housing projects, lead dust clean-up, painting;  
Reuben, Turk/Fillmore community center, Dr. Goodlett;  
Vernon Jenkins, Jr. Department of Motor Vehicle;  
Constance Kuruppv, hate crime, free speech, Presidio housing protest;  
Worldwind Dreamer, Presidio protest, homes for homeless;

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commend Cultural Services Center]

Resolution commending Charity Cultural Services Center on their 14th Anniversary and declaring May 30, 1997 as "Charity Cultural Services Center Day" in San Francisco. (Supervisors Teng, Yaki, Kaufman, Yee, Newsom, Bierman, Katz)

File 006-97-029, Resolution No. 214-97

Monday, March 10, 1997

(March 3, 1997 - Introduced in Board for consideration on March 10, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Child and Adult Immunization]

Resolution urging the Mayor to approve additional funding to implement the immunization plan for San Francisco residents. (Supervisors Leal, Kaufman, Yaki, Ammiano, Teng, Newsom, Medina, Katz, Bierman)

File 030-97-004, Resolution No. 231-97

(March 3, 1997 - Introduced in Board for consideration on March 10, 1997.)

Adopted.

[Integrated Pest Management Plan Grant]

Resolution authorizing the Agricultural Commissioner of the City and County to accept and expend up to \$75,000 in Environmental Protection Agency (EPA) pest management grant funding from the EPA through the California Department of Pesticide Regulation (DPR) and EPA to facilitate adoption of integrated pest management and perform education and outreach with respect to the City's integrated pest management program. (Supervisor Katz)

File 133-97-002, Resolution No. 222-97

(March 3, 1997 - Introduced in Board for consideration on March 10, 1997.)

Adopted.

[Juvenile Crime Enforcement Grant]

Resolution amending Resolution in File 214-96-3.1 to authorize the Juvenile Probation Department to apply for up to \$6,150,000 instead of \$3,150,000 in grants from the State Board of Corrections under the Juvenile Crime Enforcement and Accountability Challenge Grant program. (Supervisor Yaki)

File 141-97-001, Resolution No. 209-97

(March 3, 1997 - Introduced in Board for consideration on March 10, 1997.)

Adopted.

[Trees, Hallidie Plaza]

Resolution urging the Department of Public Works to delay the planned removal of trees at Hallidie Plaza and encouraging the Department of Public Works to consider alternatives to removing the trees. (Supervisors Katz, Bierman, Newsom)

File 200-97-005, Resolution No. 228-97

(March 3, 1997 - Introduced in Board for consideration on March 10, 1997.)

Adopted.

[Disaster Relief Funding]

Resolution authorizing designated City and County Officials to execute and file, on behalf of the City and County of San Francisco, an application for Federal and/or State financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the late 1996 early 1997 winter storms. (Supervisor Kaufman)

File 270-97-002, Resolution No. 230-97

(March 3, 1997 - Introduced in Board for consideration on March 10, 1997.)

Adopted.

[December Winter Storm of 1996 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms. (Supervisor Kaufman)

File 270-97-001.04

Monday, March 10, 1997

(March 3, 1997 - Introduced in Board for consideration on March 10, 1997.)

Adopted.

[Commend Maryann Medina]

Resolution commending Maryann Medina on her installation to the Women's Hall of Fame of San Mateo County. (Supervisor Medina)

File 006-97-030, Resolution No. 215-97

(March 5, 1997 - Referred to Board for consideration on March 10, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Kaufman, Leal, Medina, Yaki - 5.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Commend Chinese American Bilingual Education]

Resolution commending Chinese American Bilingual Education Alliance. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar March 17, 1997.

File 006-97-031.

[Renters Tax Credit]

Resolution supporting the restoration of the renters tax credit. Supervisors Yee, Ammiano, Bierman, Katz, Medina, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 17, 1997.

File 012-97-006.

Referred to Committee

[Negative Declaration, Sale of Property]

Resolution confirming review and consideration of Final Negative Declaration prepared pursuant to the California Environmental Quality Act for the sale to the San Francisco Redevelopment Agency of a portion of Steuart and Spear Streets and described generally as a portion of Lot 33, Assessor's Block 3741. Supervisor Newsom presented on behalf of Supervisor Yaki. Referred to Finance Committee.

File 096-97-001.

[Property Sale, Steuart/Spear Streets]

Resolution approving and authorizing an agreement with the Redevelopment Agency for the sale directly to the Agency of certain real property formerly occupied by the Embarcadero Freeway between Steuart and Spear Streets described generally as a portion of Lot 33, Assessor's Block 3741, for a sales price of \$4,000,000, and for the purpose of enabling the Agency to convey such property for development of a headquarters building under an existing disposition and development agreement between the Agency and The Gap, Inc.; and adopting findings that the sale is consistent with the City's General Plan and eight priority policies of City Planning Code Section 101.1. (Companion to File 96-97-1.) Supervisor Newsom presented on behalf of Supervisor Yaki. Referred to Finance Committee.

File 096-97-001.01.

Referred to Board

[Red Light Camera Project]

Resolution urging the Director of Parking and Traffic and the Parking and Traffic Commission to complete the red light camera pilot project as soon as is practicable. Supervisor Newsom presented on behalf of Supervisor Leal. Referred to Board for Adoption Without Committee Reference Calendar March 17, 1997.

Monday, March 10, 1997

File 190-97-003.

[Red Light Camera Installations at Twenty Sites]

Resolution urging the Director of Parking and Traffic and the Parking and Traffic Commission to install red light camera equipment at twenty additional high risk and dangerous San Francisco intersections. Supervisor Newsom presented on behalf of Supervisor Leal. Referred to Board for Adoption Without Committee Reference Calendar March 17, 1997.

File 190-97-004.

[Piazzoni Murals Review Panel]

Resolution urging the Asian Art Commission to establish a Piazzoni Murals Review Panel consisting of three members including the Architect, Gaetana Aulenti and two other highly qualified art conservators, one chosen by the Asian Art Commission, the other chosen by the Committee to Retain the Piazzoni Murals and that the review panel report back to the Board of Supervisors on whether the murals can be safely removed from the old Main Library or what can be done if the murals remain to protect the murals and accommodate the Asian Art Museum's need for exhibition space. Supervisor Ammiano presented on behalf of Supervisor Bierman. Referred to Board for Adoption Without Committee Reference Calendar March 17, 1997.

File 197-97-001.

[Hate Crimes in the Sunset District]

Resolution condemning the swastika graffiti and any possible hate crime implications in the Sunset District. Supervisors Teng, Yee, Katz, Newsom, Ammiano, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar March 17, 1997.

File 207-97-004.

Referred to Committee

[Anti-Graffiti and Hate Crimes Program]

Resolution establishing the Anti-Graffiti and Hate Crimes Pilot Program and urging the San Francisco Police Department to appoint an Asian American officer to the Special Investigations Bureau, Hate Crime Unit. Supervisors Teng, Yee, Katz, Newsom, Ammiano, Brown presented. Referred to Housing and Neighborhood Services Committee.

File 207-97-005.

Referred to Board

[Cambodian-American Chamber of Commerce]

Resolution recognizing establishment of the International Cambodian-American Chamber of Commerce. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 17, 1997.

File 234-97-001.

[General Plan Amendment]

Resolution approving amendments to the Downtown Plan and the Northeastern Waterfront Plan of the San Francisco General Plan (for Gap Building and the Rincon Hill-South Beach Redevelopment Plan). Supervisor Newsom presented on behalf of Supervisor Yaki. Referred to Board Sitting as a Committee of the Whole March 17, 1997.

File 271-97-002.

Hearings:

[Crosstown Tunnel]

Hearing to consider feasibility of alternative solutions to the crosstown tunnel. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 053-97-001.

[San Francisco Zoo Admission Policy]

Hearing to consider the issue of the San Francisco Zoo providing admission to San Francisco residents on the same basis as members of the Zoo Society. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 193-97-002.

[New Football Stadium]

Hearing to consider the feasibility of San Francisco residents receiving a discount of twenty percent on 49'er tickets at the new stadium (including season ticket holders, but not luxury box prices) for the duration of the bonds. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 193-97-003.

[Red Light Violators]

Hearing to consider the feasibility of the Department of Public Health's Emergency Medical Services Division publishing the names of red light violators as part of the City's Red Light Running Awareness Campaign and the feasibility of having the Police Department or other appropriate department to issue notices to suspected red light violators identified by members of the public. Supervisor Newsom presented on behalf of Supervisor Leal. Referred to Housing and Neighborhood Services Committee.

File 207-97-006.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with

the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 17, 1997.

File 030-97-001.04.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 093-97-007. [Amendment to MOU, Local 216] Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Building Material and Construction Teamsters, Local 216 and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution status effective January 11, 1997 following approval of this ordinance by the Mayor. (Department of Human Resources) Referred to Finance Committee.

File 097-97-010. [County Treasury Oversight Committee] Ordinance amending Administrative Code by adding Sections 10.79-4 through 10.79-8, to establish the Treasury Oversight Committee as an advisory body to the Treasurer. (City Attorney) Referred to Rules Committee.

File 172-97-005. [MUNI Security Program] Ordinance authorizing the Purchaser and the Director of Public Transportation to solicit a personal services contract for comprehensive facility security services through a request for proposals, with an option to procure security equipment in the request for proposals. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

Resolutions Referred to Committee

File 010-97-004. [Encroachment Permit, Hayes Street] Resolution granting revocable permission to Spectator Management Group (SMG), to continue the temporary closure and occupy the northerly sidewalk and a portion of the street area on Hayes Street, between Polk and Larkin Streets, for the purpose of maintaining a loading dock and for loading and unloading operations for events at Bill Graham Civic Auditorium (Block 812, Lot 1). (Also see File 10-96-6) (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 025-97-001. [Prop J Contract, Laundry Services] Resolution concurring with the Controller's certification that the laundry services can be performed for the Department of Public Health, San Francisco General Hospital by private contractor for a lower cost than similar work performed by City and County employees. (Department of Public Health) Referred to Finance Committee.

File 033-97-001. [Appointment, State Legislative Representative] Resolution ratifying the Mayor's appointment of Stephen Kawa, as State Legislative Representative for the City and County of San Francisco. (Mayor) Referred to Rules Committee.

Monday, March 10, 1997

File 040-97-008. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 048-97-018. [Settlement of Claim, Greta Joan Loucel] Resolution approving the settlement of the unlitigated claim of Greta Joan Loucel by payment of \$7,618.00. (City Attorney) Referred to Rules Committee.

File 048-97-019. [Settlement of Claim, Lupe Villagomez] Resolution approving the settlement of the unlitigated claim of Lupe Villagomez by payment of \$11,500.00. (City Attorney) Referred to Rules Committee.

File 048-97-020. [Settlement of Claim, Chai Ho Fung] Resolution approving the settlement of the unlitigated claim of Chai Ho Fung by payment of \$7,000.00. (City Attorney) Referred to Rules Committee.

File 048-97-021. [Settlement of Claim, 20th Century Insurance] Resolution approving the settlement of the unlitigated claim of 20th Century Insurance by payment of \$8,042.64. (City Attorney) Referred to Rules Committee.

File 048-97-022. [Settlement of Claim, Abram Kislyuk] Resolution approving the settlement of the unlitigated claim of Abram Kislyuk by payment of \$8,200.00. (City Attorney) Referred to Rules Committee.

File 048-97-023. [Settlement of Claim, Mark Hlady] Resolution approving the settlement of the unlitigated claim of Mark Hlady by payment of \$5,615.30. (City Attorney) Referred to Rules Committee.

File 061-97-001. [Contract Award Extension, MUNI Railway MR-1167R] Resolution granting extension of time for awarding Municipal Railway Contract No. MR-1167R, MUNI Metro Extension - Platform Canopy and Communication System. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

File 064-97-005. [Lease Amendment, Treasure Island] Resolution approving and authorizing an amendment to a lease and license with the United States Navy regarding the use of Hangars 2, 3 and 180 and Building III on Naval Station Treasure Island, extending the terms thereof until September 30, 1997. (Also see Files 64-96-16, 64-96-16.1) (Mayor) Referred to Finance Committee.

File 065-97-003. [Sublease Agreement, ATL Productions, Inc.] Resolution approving and authorizing an agreement by and between the City and County of San Francisco and ATL Productions, Inc. for the sublease of Buildings 3 and 180 on Naval Station Treasure Island. (Mayor) Referred to Finance Committee.

File 094-97-001. [Energy Conservation Grant] Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant of \$25,000 from the American Public Power Association/Demonstration of Energy Efficient Development Program. (Ratification of action previously taken) (Also see File 94-96-2) (Public Utilities Commission) Referred to Economic Development, Transportation and Technology Committee.

File 147-97-002. [State Grant - Project Read] Resolution authorizing the City Librarian to apply for retroactively, accept and expend funds not to exceed \$90,000 from the California State Library, including indirect costs of five percent. (Public Library) Referred to Housing and Neighborhood Services Committee.

File 147-97-003. [State Grant - Project Read] Resolution authorizing the City Librarian to apply for retroactively, accept and expend funds not to exceed \$30,000 from the California State Library, including indirect costs of five percent. (Public Library) Referred to Housing and Neighborhood Services Committee.

File 147-97-004. [State Grant - Major Urban Resource Libraries] Resolution authorizing the San Francisco Public Library to accept and expend funds not to exceed \$89,484 available through the California State Library from Title 1 of the Library Services and Construction Act for Major Urban Resource Libraries for fiscal year 1996-97; waiving indirect costs. (Public Library) Referred to Housing and Neighborhood Services Committee.

File 147-97-005. [State Grant, Online Library Catalogs] Resolution authorizing the San Francisco Public Library, through the Bay Area Library and Information Systems (BALIS), to apply retroactively, accept and expend \$56,200 to be awarded by the California State Library, as part of the California Library Services Act, Database Systems Program, to purchase Z39.50 server software to improve regional access to online library catalogs. (Public Library) Referred to Housing and Neighborhood Services Committee.

File 148-97-001. [Surface Transportation Program (STP) Grant] Resolution authorizing the Director of Public Works to retroactively apply for, accept and expend up to \$3,336,825 in Federal Surface Transportation Program funds for public works projects. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

Monday, March 10, 1997

File 172-97-006. [Public Health Services Contract] Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Health to execute amendments, with Blue Cross of California for the provision of specified public health services to Medi-Cal beneficiaries, retroactive to January 1, 1997. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 172-97-007. [Public Health Services Contract] Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Health to execute amendments, with the San Francisco Health Authority ("The Authority") and its capitated providers for the provision of specified public health services to Medi-Cal beneficiaries, retroactive to January 1, 1997. (Department of Public Health) Referred to Health, Family and Environment Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that City Attorney research the rate increase of TCI/Viacom to ensure it to be legal and allowable and to report on what the mechanism is for setting the basic cable rate for San Francisco.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

John O'Brien (Supervisor Bierman)  
Christopher Boatwright (Supervisor Leal)  
Heather Grace (Supervisor Ammiano)

File 2-97-10

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 3:04 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 5, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, March 17, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, March 17, 1997 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Yaki - 6.

Noted absent at first roll call:

Supervisors Katz, Medina, Newsom, Teng, Yee - 5.

Quorum present.

Supervisor Katz was noted present at 2:02 p.m.

Supervisor Medina was noted present at 2:11 p.m.

Supervisor Newsom was noted present at 2:01 p.m.

Supervisor Teng was noted present at 2:02 p.m.

Supervisor Yee was noted present at 2:01 p.m.

SPECIAL ORDER 2:00 P.M.

Recommendations of Finance Committee

Adopted

[Ballot Argument]

Motion approving proponent's ballot argument in favor of Proposition A, a bond measure concerning Education Facility Bonds. (Supervisor Teng)

File 60-97-2.2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

[Ballot Argument]

Motion approving proponent's ballot argument in favor of Proposition B, a bond measure concerning Cultural Facility Bonds. (Supervisor Kaufman)

File 60-97-2.1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

[Ballot Argument]

Motion approving proponent's ballot argument in favor of Proposition C, a bond measure concerning Zoo Bonds. (Supervisor Yaki)

File 60-97-2.3

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

[Ballot Argument]

Motion approving proponent's ballot argument in favor of Proposition D, a bond measure concerning Stadium Bonds. (Supervisor Brown)

File 60-97-3.2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

Recommendation of Rules Committee

Adopted

[Ballot Argument, Public Utility Revenues]

Motion approving proponent's ballot argument in favor of Proposition E, charter amendment concerning public utility revenues. (Supervisor Kaufman)

File 280-96-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Leal requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Passed for Second Reading as Amended

[Appropriation, Medical Examiner/Coroner]

Ordinance appropriating \$22,063, Medical Examiner/Coroner, of Jail Overcrowding Fine Revenue to professional services, materials and supplies, equipment purchase and maintenance for a DUI (driving under influence) Testing Program for fiscal year 1996-97; placing ((\$34,563)) \$22,063 on reserve. (Controller)

File 101-96-49, Ordinance No.

Supervisor Leal, seconded by Supervisor Teng, moved to amend title, line 4 and page two, line 7, by replacing "\$34,563" with "\$22,063".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

The Board resumed its consideration of the following items on the Consent Calendar.

Monday, March 17, 1997

Recommendations of Health, Family and Environment Committee

Finally Passed

[Industrial Waste Violation Notification]

Ordinance amending Public Works Code to authorize citizens to recover costs incurred in providing information which contributes to the identification of violations of the Industrial Waste Ordinance. (Supervisor Bierman)

File 123-97-1, Ordinance No. 114-97

(Amends Section 132.)

Finally passed.

[Industrial Waste Violation Citizen Enforcement]

Ordinance amending Public Works Code authorizing citizen suits to enforce against violations of the Industrial Waste Ordinance. (Supervisor Bierman)

File 123-97-2, Ordinance No. 115-97

(Adds Section 139.)

Finally passed.

[Sewers and Sewage Management]

Ordinance amending Public Works Code to reflect the transfer of responsibilities concerning sewers and sewage management from the Department of Public Works to the General Manager of the Public Utilities Commission, and to reflect the abolition of the position of Chief Administrative Officer and the transfer of responsibilities formerly assigned to that office. (Supervisor Bierman)

File 123-97-3, Ordinance No. 116-97

(Amends Article 4.1, Sections 118-138.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Residential Permit Parking Area "U", South of Market]

Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market area and adding to the list of streets upon which time limitations shall apply by adding Shipley Street, between 4th and 5th Streets, north side. (Department of Parking and Traffic)

File 40-97-2, Resolution No. 249-97

Adopted.

[Residential Permit Parking Area "U", South of Market]

Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market area and adding to the list of streets upon which time limitations shall apply by adding Harriet Street, between Bryant and Brannan Streets, west side. (Department of Parking and Traffic)

File 40-97-3, Resolution No. 250-97

Adopted.

[Residential Permit Parking Area "J", Sunset/Parnassus]

Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights area and adding to the list of streets upon which time limitations shall apply by adding Alma Street, between Belvedere and Cole Streets, both sides. (Department of Parking and Traffic)

File 40-97-4, Resolution No. 251-97

Adopted.

[Residential Permit Parking Area "R", Cleary Court]

Resolution extending the boundaries of Residential Permit Parking Area "R" in the Cleary Court area and adding to the list of streets upon which time limitations shall apply by adding Franklin Street, between Eddy and Ellis Streets, east side. (Department of Parking and Traffic)

Monday, March 17, 1997

File 40-97-5, Resolution No. 252-97

Adopted.

[Residential Permit Parking Area "S", Duboce Triangle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle area and adding to the list of streets upon which time limitations shall apply by adding Cumberland Street, between Church and Sanchez Streets both sides; Noe Street, between 20th and Liberty Streets, east side; Sanchez Street, between 20th and Liberty Streets, west side. (Department of Parking and Traffic)

File 40-97-6, Resolution No. 253-97

Adopted.

Recommendations of Rules Committee

Passed for Second Reading

[Robinson Construction Company v. CCSF]

Ordinance authorizing settlement of litigation of Robinson Construction Company against the City and County by payment of \$996,747.69. (City Attorney)

File 45-97-20, Ordinance No.

(Santa Clara County Superior Court Case No. CV760245.)

Passed for second reading.

[Yelizaveta Bluvshcheyn v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Yelizaveta Bluvshcheyn against the City and County, Muni, et al. by payment of \$40,000. (City Attorney)

File 45-97-21, Ordinance No.

(Superior Court No. 976-704.)

Passed for second reading.

[John Liu v. CCSF, et al.]

Ordinance authorizing settlement of litigation of John Liu against the City and County by payment of \$5,500. (City Attorney)

File 45-97-22, Ordinance No.

(Superior Court No. 973-796.)

Passed for second reading.

[Martin Harjani, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Martin Harjani against the City and County by payment of \$16,778.63. (City Attorney)

File 45-97-23, Ordinance No.

(Municipal Court No. 116-736.)

Passed for second reading.

[State of California v. CCSF, et al.]

Ordinance authorizing settlement of litigation of State of California against the City and County by payment of \$7,700. (City Attorney)

File 45-97-24, Ordinance No.

(Municipal Court No. 124-885.)

Passed for second reading.

[Loretia Yan v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Loretia Yan against the City and County by payment of \$30,000. (City Attorney)

Monday, March 17, 1997

File 45-97-25, Ordinance No.

(Superior Court No. 976-294.)

Passed for second reading.

[Marvin Woodside v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Marvin Woodside v. City and County, et al. (San Francisco General Hospital), by payment of \$32,500. (City Attorney)

File 45-97-26, Ordinance No.

(Superior Court No. 978-454.)

Passed for second reading.

[CCSF v. General Engineering and Machine Works]

Ordinance authorizing settlement of litigation in City and County of San Francisco v. General Engineering and Machine Works, by accepting payment to Laguna Honda Hospital of \$75,000. (City Attorney)

File 46-97-4, Ordinance No.

(Superior Court No. 972-391.)

Passed for second reading.

[Pleasant Hill Cremation Cases]

Ordinance authorizing partial settlement against certain defendants in a class action entitled In Re: Pleasant Hill Cremation Cases, with payment of a total of \$3,380,000 for administrative and litigation costs, attorney's fees, maintenance of a memorial, and payment of claims submitted by class members. (Also see File 46-95-4.) (City Attorney)

File 46-97-5, Ordinance No.

(Superior Court No. 943-703.)

Passed for second reading.

Adopted

[Settlement of Claim, Gerald J. Gerhardt]

Resolution approving the settlement of the unlitigated claim of Gerald J. Gerhardt by payment of \$7,500.00. (City Attorney)

File 48-97-14, Resolution No. 254-97

Adopted.

[Settlement of Claim, Henry Hejazi]

Resolution approving the settlement of the unlitigated claim of Henry Hejazi by payment of \$10,000.00. (City Attorney)

File 48-97-15, Resolution No. 255-97

Adopted.

[Settlement of Claim, Randy Basnett]

Resolution approving the settlement of the unlitigated claim of Randy Basnett by payment of \$10,750.00. (City Attorney)

File 48-97-16, Resolution No. 256-97

Adopted.

[Settlement, Regional Water Quality Board Complaint]

Resolution approving the settlement of the State administrative penalty by payment of \$300,000 (San Francisco Bay Regional Water Quality Control Board Administrative Civil Liability Complaint No. 96-145). (City Attorney)

Monday, March 17, 1997

File 48-97-17, Resolution No. 212-97

Adopted.

[Settlement of Claim, New Flyer of America]

Resolution approving the settlement of unlitigated claims of the City and County against New Flyer of America. (City Attorney)

File 49-97-1, Resolution No. 257-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Medina - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendation of Finance Committee

Adopted as Amended

[Bay Area Cellular Telephone Co. Transmitter Lease]

Resolution authorizing and approving a lease of wireless transmitter and antennae space within and on Laguna Honda Hospital to Bay Area Cellular Telephone Company, without competitive bidding, as amended. (Real Estate Department)

File 65-97-1, Resolution No. 217-97

(March 3, 1997 - Consideration continued to March 17, 1997.)

Supervisor Leal, seconded by Supervisor Yaki, moved to amend title, line four, after "bidding" by inserting ", as amended"; amend page three, line six by adding the following: "Further Resolved, That the Board's approval of this lease is conditioned upon the following language being made a part of the lease, at the end of Section 4.1: At least 120 days before the end of the first year of the initial term of this lease, the Budget Analyst of the City ("City's Budget Analyst") shall review the methodology that was used to determine the initial Base Rent under this lease and shall make its determination at least 30 days prior to the end of the first year of this Lease. In the event the Budget Analyst reasonably determines that such methodology was materially flawed, the parties agree that the initial Base Rent shall be re-determined and established at Fair Market Rent existing immediately prior to the Commencement Date ("Fair Market Rent at Commencement"):".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

#### NEW BUSINESS

#### Recommendations of Finance Committee

Passed for Second Reading

[Public Health License Fees]

Ordinance amending Health Code, relating to license and reinspection fees for the Department of Public Health. (Department of Public Health)

File 118-96-8, Ordinance No.

(Amends Sections 258, 451 and 609.)

Passed for second reading by the following vote:



Monday, March 17, 1997

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki - 9.

Noes: Supervisors Newsom, Yee - 2.

[Public Health License Fees]

Ordinance amending Part III of the Municipal Code (Revenue and Finance), relating to fees for licenses or permits for inspections by the Department of Public Health; companion measure to File 118-96-8. (Department of Public Health)

File 127-96-10, Ordinance No.

(Amends Sections 35, 120, 248, 249.1, 249.7 and 249.13.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki - 9.

Noes: Supervisors Newsom, Yee - 2.

[Appropriation, Parking and Traffic Dept.]

Ordinance appropriating \$100,000, Parking and Traffic Department, of Traffic Fines Revenue to other current expenses for the cost of the Red Light Camera Enforcement Pilot Project for fiscal year 1996-97; providing for ratification of action previously taken. (Supervisors Leal, Teng)

File 101-96-48, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Special Funds, Police Department]

Ordinance amending Administrative Code, establishing a special fund for equipment and maintenance of the police gymnasium at the Hall of Justice. (Police Department)

File 97-97-8, Ordinance No.

(Adds Section 10.117-118.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Credit Card Payment]

Ordinance amending Administrative Code, to authorize all officers, boards, commissions and departments of the City and County to accept credit cards, debit cards and ATM cards for the payment of fees, taxes or other charges, and to delete direct authorization for the Department of Public Health, Art Commission, Library Department, Recreation and Park Commission, Parking and Traffic Commission, Department of Animal Care and Control and the Treasurer/Tax Collector to accept payment by credit card, debit card or ATM card. (Supervisors Kaufman, Bierman, Teng)

File 97-97-9, Ordinance No.

(Amends Section 10.11-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Birth Certificate Fees]

Ordinance amending Part III, Article 2, Municipal Code (License Fees) to increase the fee for a certified copy of a birth certificate by three dollars (\$3.00), with the proceeds of this increase to be used to help fund dependency mediation in Juvenile Court. (Superior and Municipal Courts)

Monday, March 17, 1997

File 127-97-2, Ordinance No.

(Fiscal Impact.)

(Adds Section 249.16.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Airport Lease, CalTrans I-380 Property]

Resolution authorizing a lease of real property at Interstate 380 Overpass and South Airport Boulevard, South San Francisco, San Mateo County, for the Airport Commission, San Francisco International Airport, retroactive to March 1, 1997. (Real Estate Department)

File 27-97-3, Resolution No. 248-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Lease of Property, LAIR Facility]

Resolution authorizing a lease of property at the Letterman Army Institute of Research Facility ("LAIR") in the Presidio of San Francisco, for use by the Department of Public Health. (Real Estate Department)

File 64-97-4, Resolution No. 258-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Finance Committee  
and Economic Development, Transportation and Technology Committee

Adopted

[Lease Amendment, Walt Disney Productions]

Resolution approving and authorizing amendments to a sublease and sublicense with Walt Disney Productions regarding the use of Hangars 3 and 180 on Naval Station Treasure Island, extending the terms thereof until March 31, 1997. (Mayor Willie L. Brown, Jr.)

File 65-97-2, Resolution No. 218-97

(Fiscal Impact.)

(March 4, 1997 - Transferred from Economic Development, Transportation and Technology Committee.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendation of Economic Development, Transportation  
and Technology Committee

Adopted

[Newsrack Pilot Project]

Resolution urging the Department of Public Works to conduct a demonstration project, using a maximum of 10 Ped-Mounts and a minimum of two vendors chosen by the Mayor and the Director of Public Works, to develop and implement a pilot program to place state-of-the-art newsracks at one or more locations to be specified by the Mayor and the Director of Public Works for a trial period not to exceed six months; and further urging the Director of Public Works to create a task force to advise him on the implementation of the newsrack pilot program and to solicit feedback from the public during the trial period. (Supervisors Kaufman, Bierman, Newsom, Leal, Teng)

Monday, March 17, 1997

File 200-97-2, Resolution No. 227-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendations of Housing and Neighborhood Services Committee

Passed for Second Reading

[Sidewalk Width Regulations, Jack London Alley]  
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1539 changing the official width of sidewalk on the southwesterly side of Jack London Alley between South Park and Varney Place, as shown on the Department of Public Works drawing labeled Q-20-472 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-97-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Commercial Vehicle/Transit Area, Sansome Street]  
Ordinance amending the Traffic Code, establishing an exclusive commercial vehicle/transit area on Sansome Street between Washington Street and Bush Street. (Department of Parking and Traffic)

File 124-97-2, Ordinance No.

(Adds Section 31.6.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Encroachment Permit, 455 Golden Gate Avenue]  
Resolution granting revocable permission to the State of California to construct canopies, cornices, awnings, and various other architectural components to extend from the building facade above the sidewalk for the Hiram W. Johnson State Building at 455 Golden Gate Avenue (Block 765, Lot 3) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 10-97-3, Resolution No. 243-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Local Law Enforcement Block Grant Program]  
Resolution authorizing the Mayor to apply for, accept and expend a grant in the amount of \$2,764,665 from the U.S. Department of Justice to administer the Local Law Enforcement Block Grant Program and waiving indirect costs, providing for ratification of action previously taken; placing \$172,000 on reserve. (Mayor Willie L. Brown, Jr, Supervisor Teng)

File 68-97-1, Resolution No. 219-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Grant, Supportive Housing/Shelter Plus Programs]  
Resolution authorizing the Mayor to apply for, accept and expend Stewart B. McKinney Supportive Housing Program grants in the total amount not to exceed \$13,291,985 and a Shelter Plus Care grant in a total amount not to exceed \$2,176,020 from the U.S. Department of Housing and Urban Development. (Mayor Willie L. Brown, Jr., Supervisor Teng)

File 68-97-2, Resolution No. 220-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[State Grant, Upgrade Traffic Sign Records System]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend \$105,300 in Office of Traffic Safety (OTS) funds to upgrade the Department's Traffic Sign Records Systems; providing for ratification of action previously taken; placing \$105,300 on reserve. (Department of Parking and Traffic)

File 192-97-1, Resolution No. 272-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Liquor License, 5201 - 3rd Street]

Resolution opposing the request for the transfer of a type 42 off-sale general alcoholic beverage license for Suad Abbushi for All Night Market from 5190 - Third Street, to 5201 - Third Street, and determining that it will not serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-2, Resolution No. 274-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Liquor License, 1514 Union Street]

Resolution determining that the issuance of a Type 40 on-sale beer license to Joseph M. Gilmartin, Jr., for The Black Horse London Deli located at 1514 Union Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions. (Housing and Neighborhood Services Committee)

File 223-97-5, Resolution No. 275-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

#### Recommendations of Rules Committee

Passed for Second Reading

[Time for Award of Contracts]

Ordinance amending Administrative Code, to provide for additional time for awarding contracts let by the Public Utilities Commission; the provisions of this ordinance shall expire on June 30, 1998. (Public Utilities Commission)

File 97-97-1, Ordinance No.

(Amends Section 6.1-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Appointment]

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee for unexpired portion of four-year term ending August 20, 1997. (Rules Committee)

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File 92-97-7, Resolution No. 261-97

(Nikkie Ho, vice Angela Chu, Seat No. 26604 (must represent a tenant organization), resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointments]

Resolution appointing members to the Bicycle Advisory Committee. (Rules Committee)

File 92-97-6 Resolution No. 260-97

(Laurel Condro, vice Juan-Thomas Rehbock, Seat No. 24302, environmental organization, term expired, for three-year term ending December 31, 1997;  
Erika Bischoff, vice Pamela Coxson, Seat No. 24304, bicycle organization, term expired, for new three-year term ending December 31, 1999;  
Susan Hester, vice David Kinsley, Seat No. 24305, bicycle organization, term expired, for new three-year term ending December 31, 1999;  
James Look, vice Niko Letunic, Seat No. 24306, bicycle organization, term expired, for new three-year term ending December 31, 1999;  
Larry Chinn, vice himself, Seat No. 24308, bicyclist-at-large, term expired, for new three-year term ending December 31, 1999;  
Jared Braiterman, Ph.D., vice Lucinda Means, Seat No. 24307, bicyclist-at-large, resigned, for unexpired portion of three year term ending December 31, 2001.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Off-Site Committee Meeting]

Motion ordering the April 1997 meeting of the Housing and Neighborhood Services Committee of the Board of Supervisors to be held on April 16, 1997, 5:30 p.m., at the Southeast Community Facility, 1800 Oakdale Avenue. (Supervisor Teng)

File 54-97-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

#### Conference with City Attorney - Litigation

##### From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for purpose of discussing whether to initiate litigation, as permitted by Government Code Section 54956.9(c).

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

##### Recess

The Board recessed at the hour of 3:23 p.m. to convene in closed session.

##### Reconvening of the Board

At the hour of 3:38 p.m., the Board reconvened.

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Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Noted absent:

Supervisor Teng- 1.

Quorum present.

Supervisor Teng was noted present at 3:39 p.m.

Report on Closed Session

The Board took no action in closed session.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the possible litigation.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to (1) proposed amendment to the Rincon Point-South Beach Redevelopment Plan, to add excess freeway lands to the project area and designate the land use for such added area as office, to identify the current design for the realignment of the Embarcadero roadway between Howard and Folsom Streets, and to designate the land use of a small parcel of Port property on the corner of Howard and Steuart Streets as either Commercial or Open Space Park; (2) Proposed amendment to General Plan, (3) Resolution making environmental findings, (4) Ordinance approving the above amendment to the Rincon Point-South Beach Redevelopment Plan.

Files 151-97-1, 151-97-1.1, 157-97-1.2, 271-97-2

Prior to opening the floor for public participation, the President called upon representatives from the San Francisco Redevelopment Agency for a brief presentation and submittal of various supporting documents. The Director of Planning addressed the actions taken by the Planning Commission.

The President then inquired if there were anyone present who wished to testify on this matter.

There being no response, the President declared the public hearing on this issue closed.

Committee of the Whole Rise and Report Without Recommendation

Adopted

[Environmental Findings for Redevelopment Plan Amendment]

Resolution adopting a resolution making findings of the Board of Supervisors of the City and County of San Francisco made pursuant to the California Environmental Quality Act and State Guidelines in connection with an amendment to the Rincon Point-South Beach Redevelopment Plan to include a portion of the former Embarcadero Freeway between Steuart and Spear Streets (described generally as a portion of Lot 33, Assessor's Block 3741), add a use designation for the Southeasterly corner of Howard and Steuart Streets (described generally as a portion of Lot 12, Assessor's Block 3742) and adopt certain amendments to the General Plan. (Supervisor Yaki)

File 151-97-1.1, Resolution No. 267-97

Adopted by the following vote:

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Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Adopted as Amended

[General Plan Amendments for Redevelopment Plan Amendments]  
Resolution approving amendments to the Downtown Plan and the Northeastern Waterfront Plan of the San Francisco General Plan in connection with the Redevelopment Plan Amendment and GAP Building.  
(Supervisor Yaki)

File 271-97-2, Resolution No. 278-97

Supervisor Yaki, seconded by Supervisor Teng, moved an amendment of the whole bearing same title.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Passed for Second Reading as Amended

[Amendment to Rincon Point-South Beach Redevelopment Plan]  
Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, amended by Ordinance No. 405-91, amended by Ordinance No. 137-92, amended by Ordinance No. 270-92, amended by Ordinance No. 430-94, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the project area by adding land to the Rincon Point Sub-Area of the Project Area, specifically Lot 33 of Assessor Block 3741. (Supervisor Yaki)

File 151-97-1.2, Ordinance No.

Supervisor Yaki, seconded by Supervisor Teng, moved an amendment of the whole bearing same title.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:  
Anita Harrison, Bank of America branch closure;  
Male speaker, Bank of America branch closure;  
Mr. Barry, New Worlds Fair project;  
Betty Landis, health of community;  
John Johnson, Touch of Class Painting Company, Housing Authority;  
Contractor, Housing Authority painting contract;  
Dehnert Queen, trade mission to China, waterfront plan;  
Jess Gumba, civil service issue;  
Reverend, Oceanview area financial institution;  
Milton Hanks, supplemental pay;  
Rodney, youth safety issues, oppose stadiums;  
John Smith, bank closure;  
Mary Harrison, Bank of America closure;  
Al Lewis, Bank of America closure;  
Reuben, assault on homeless women.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Monday, March 17, 1997

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yee requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Piazzoni Murals Review Panel]

Resolution urging the Asian Art Commission to establish a Piazzoni Murals Review Panel consisting of three members including the Architect, Gaetana Aulenti and two other highly qualified art conservators, one chosen by the Asian Art Commission, the other chosen by the Committee to Retain the Piazzoni Murals and that the review panel report back to the Board of Supervisors on whether the murals can be safely removed from the old Main Library or what can be done if the murals remain to protect the murals and accommodate the Asian Art Museum's need for exhibition space. (Supervisors Bierman, Ammiano, Brown)

File 197-97-001, Resolution No.

(March 10, 1997 - Introduced in Board for consideration on March 17, 1997.)

At the request of Supervisor Yee, referred to Economic Development, Transportation and Technology Committee.

In connection with the above item, Supervisors Ammiano and Brown requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Chinese American Bilingual Education]

Resolution commending Chinese American Bilingual Education Alliance. (Supervisors Yee, Kaufman, Teng, Bierman, Brown, Newsom)

File 006-97-031, Resolution No. 233-97

(March 10, 1997 - Introduced in Board for consideration on March 17, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Teng, Bierman, Brown, Newsom requested to be added as co-sponsors.

[Renters Tax Credit]

Resolution supporting the restoration of the renters tax credit. (Supervisors Yee, Ammiano, Bierman, Katz, Medina, Teng, Brown, Leal)

File 012-97-006, Resolution No. 244-97

(March 10, 1997 - Introduced in Board for consideration on March 17, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Leal requested to be added as co-sponsors.

[Red Light Camera Project]

Resolution urging the Director of Parking and Traffic and the Parking and Traffic Commission to complete the red light camera pilot project as soon as is practicable. (Supervisors Leal, Bierman, Kaufman, Teng, Newsom, Brown)

File 190-97-003, Resolution No. 270-97

(March 10, 1997 - Introduced in Board for consideration on March 17, 1997.)

Adopted.



Monday, March 17, 1997

In connection with the above item, Supervisors Bierman, Kaufman, Teng, Newsom, Brown requested to be added as co-sponsors.

[Red Light Camera Installations at Twenty Sites]

Resolution urging the Director of Parking and Traffic and the Parking and Traffic Commission to install red light camera equipment at twenty additional high risk and dangerous San Francisco intersections. (Supervisors Leal, Bierman, Kaufman, Teng, Newsom, Brown)

File 190-97-004, Resolution No. 271-97

(March 10, 1997 - Introduced in Board for consideration on March 17, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Kaufman, Teng, Newsom, Brown requested to be added as co-sponsors.

[Hate Crimes in the Sunset District]

Resolution condemning the swastika graffiti and any possible hate crime implications in the Sunset District. (Supervisors Teng, Yee, Katz, Newsom, Ammiano, Brown, Bierman, Kaufman, Leal)

File 207-97-004, Resolution No. 229-97

(March 10, 1997 - Introduced in Board for consideration on March 17, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Kaufman, Leal requested to be added as co-sponsors.

[Cambodian-American Chamber of Commerce]

Resolution recognizing establishment of the International Cambodian-American Chamber of Commerce. (Supervisors Teng, Bierman)

File 234-97-001, Resolution No. 277-97

(March 10, 1997 - Introduced in Board for consideration on March 17, 1997.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom)

File 030-97-001.04

(March 10, 1997 - Introduced in Board for consideration on March 17, 1997.)

Adopted.

[Final Amended Map]

Motion approving amended map of 101 Valencia Street, a Condominium Project, being a merger and resubdivision of Lots 79 and 122 to 151 in Assessor's Block 3513, and adopting findings pursuant to the Planning Code Section 101.1. (Department of public Works)

File 58-97-3

(March 11, 1997 - Referred to Board for consideration on March 17, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Monday, March 17, 1997

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Imperative Resolutions]

Adopted

[Inhalant and Poison Week]

Resolution proclaiming the week of March 16 to March 23, 1997 as Inhalant and Poison Awareness Week; and commending the San Francisco Chemo Awareness Task Force for actively combating inhalant abuse in the Mission District.

File 004-97-009, Resolution No. 213-97

Supervisor Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Commend Geraldine G. Earp]

Resolution commending Geraldine G. Earp on receiving the 13th Assembly District Woman of the Year award.

File 006-97-032, Resolution No. 216-97

Supervisors Medina, Brown, Leal, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

Monday, March 17, 1997

[Appropriation, Fire Department]

Substitute ordinance appropriating \$1,653,393, Fire Department, from the General Fund Reserve, for salaries, materials and supplies, equipment purchase and services of other departments to fund the cost of transferring the Paramedic Division from Public Health to the Fire Department, for fiscal year 1996-97. Mayor Willie L. Brown presented. Referred to Finance Committee with request it be considered at the March 26, 1997 meeting.

File 101-96-050.

Referred to Board

[Tibetan National Day]

Resolution proclaiming March 10, 1997 to be Tibetan National Day to commemorate the Tibetan uprising on March 10, 1959. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar March 24, 1997.

File 004-97-010.

[Commend Bayview Hunters Point Project Area Committee]

Resolution commending The Bayview Hunters Point Project Area Committee and declaring March 17, 1997 "Bayview Hunters Point Project Area Committee" in San Francisco. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar March 24, 1997.

File 006-97-033.

[U.S. Holocaust Memorial Museum]

Resolution supporting the United States Holocaust Memorial Museum's continuing inclusion of an exhibit on the treatment of homosexuals during the Holocaust; supporting the Federal Government's continued funding of the museum and its programs; and opposing a boycott on visits to the museum. Supervisors Leal, Kaufman, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar March 24, 1997.

File 013-97-006.

[S.B.392, Public Benefits to Legal Immigrants]

Resolution supporting S.B. 392 and urging the United States Senate to pass S.B.392 to ensure legal immigrants can retire with dignity and respect. Supervisors Teng, Brown, Bierman, Yaki, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar March 24, 1997.

File 013-97-007.

[Citizenship Process Effort]

Resolution supporting Congresswoman Nancy Pelosi's effort in expediting the citizenship process. Supervisors Teng, Brown, Bierman, Medina, Yaki, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar March 24, 1997.

File 013-97-008.

Referred to Committee

[1997-1998 Children's Services Plan]

Resolution approving the Children's Services Plan for the San Francisco Children's Fund in accordance with Charter Section 16.108. Mayor Willie L. Brown presented. Referred to Health, Family and Environment Committee.

File 185-97-001.

[Medical Marijuana]

Resolution authorizing the defense in Federal criminal and administrative proceedings of Department of Public Health physicians who recommend medical marijuana to their patients if certain conditions are met. Supervisors Bierman, Leal, Katz presented. Referred to Health, Family and Environment Committee.

File 194-97-001.

[Bank of America Branch Closures]

Resolution urging the Bank of America to keep its branch bank at Ocean-Faxon or find a substitute financial institution to serve the neighborhood before they close the branch. Supervisors Medina, Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 24, 1997.

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File 227-97-002.01.

Requests for Hearings:

[Disabled Parking Placards]

Hearing to consider possible solutions to the improper issuing of Disabled Parking Placards in the City and County of San Francisco. Supervisor Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 012-97-007.

[Red Light Running]

Hearing to consider all available traffic control options for addressing the red light epidemic in San Francisco, including, without limitation, the feasibility of altering signal intervals, using "all red" timing, installing mid-block red light signals, installing mid-block flashing red light warning signals, using emerging technologies, and any other option that might reduce red light running and the deadly accidents they cause. Supervisor Leal presented. Referred to Housing and Neighborhood Services Committee.

File 190-97-005.

[Public Safety in Parks]

Hearing to consider issues concerning public safety in San Francisco parks. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 193-97-004.

[Recreation and Park Programs and Activities]

Hearing to review recreational programs in the City, the process of community input in the recreation and park activities. In particular, activities currently available to youth in the community, and plans to increase and improve those activities. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 193-97-005.

[Disaster Emergency Services]

Hearing to consider the progress of the 911 Consolidated Dispatch System. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 207-97-007.

[Community Re-investment Programs]

Hearing to review the performance of our banking and related financial institutions with regard to their community re-investment programs, especially in neighborhoods targeted for economic revitalization. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 235-97-001.

Motions:

Referred to Board

[Public Health Director's Report]

Changing the date of presentation at the full Board by the Director of Public Health, Dr. Sandra Hernandez, to May 5, 1997 rather than April 28, 1997 as previously requested. Supervisor Kaufman presented.

File 030-97-005.

Referred to Committee

[Rebuttal Argument to Proposition B]

Motion authorizing rebuttal to opponent's ballot argument against Proposition B, a bond measure concerning cultural facilities. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the March 24, 1997 Special Meeting.

File 060-97-002.04.

Monday, March 17, 1997

[Rebuttal Argument to Proposition A]

Motion authorizing rebuttal argument to opponent's ballot argument against Proposition A, a bond measure concerning education facility bonds. Supervisor Teng presented. Referred to Finance Committee with request it be considered at the March 24, 1997 Special Meeting.

File 060-97-002.05.

[Rebuttal Argument to Proposition C]

Motion authorizing rebuttal argument to opponent's ballot argument against Proposition C, a bond measure concerning zoo facilities. Supervisor Yaki presented. Referred to Finance Committee with request it be considered at the March 24, 1997 Special Meeting.

File 060-97-002.06.

[Rebuttal Argument to Proposition D]

Motion authorizing rebuttal argument to opponent's ballot argument against Proposition D, a lease-financing bond measure concerning football stadium. Supervisor Brown presented. Referred to Finance Committee with request it be considered at the March 24, 1997 Special Meeting.

File 060-97-003.03.

Referred to Board

[December Winter Storm of 1996 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms. Supervisors Kaufman, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 24, 1997.

File 270-97-001.05.

Referred to Committee

[Rebuttal Argument, Proposition E]

Motion authorizing rebuttal argument to opponent's ballot argument against Proposition E, charter amendment concerning public utilities commission revenue uses. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the March 24, 1997 Special Meeting.

File 280-96-003.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-027. [Carla Laser v. CCSF et al.] Ordinance authorizing settlement of litigation of Carla Laser against the City and County of San Francisco by payment of \$180,292.80. (Superior Court No. 969-877) (City Attorney) Referred to Rules Committee.

File 045-97-028. [Anthony Perez v. CCSF et al.] Ordinance authorizing settlement of litigation of Anthony Perez against the City and County of San Francisco by payment of \$20,000. (Superior Court No. 975-445) (City Attorney) Referred to Rules Committee.

File 045-97-029. [Alissa Chriss et al. v. CCSF et al.] Ordinance authorizing settlement of litigation of Alissa Chriss against the City and County of San Francisco by payment of \$19,584.61. (Superior Court No. 982-447) (City Attorney) Referred to Rules Committee.

File 097-97-011. [Board of Appeals Procedures] Ordinance amending Administrative code by amending Section 34.5, relating to notice by the Board of Appeals to the Assessor of decisions granting or modifying a variance on appeal, to conform to the language of the 1996 Charter; companion measure to File 127-97-3. (Board of Appeals). Referred to Rules Committee.

File 097-97-012. [DTIS Memberships] Ordinance amending Chapter 16, Article 1, of the San Francisco Administrative Code, which regulates officers and employees generally, by amending Section 16.6-28 to update the list of organizations on which the Department of Telecommunications and Information Services (formerly Department of Electricity) is represented, by amending the title to reflect the department's change of name, deleting three (3) organizations from the list of those on which the department is represented, and adding seven (7) organizations to the list. (Department of Telecommunications and Information Services, Division of Telecommunications) Referred to Rules Committee.

File 101-96-051. [Appropriation, Commission on Aging] Ordinance appropriating \$15,500, Commission on Aging, of Senior Citizen's Program Fund Revenue to salaries and fringe benefits for the creation of one (1) position for fiscal year 1996-97; companion measure to File 102-96-12. RO #96246. (Controller) Referred to Finance Committee.

File 102-96-012. [Salary Ordinance Amendment, Commission on Aging] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97), reflecting the creation of one (1) position (Class 9722 Specialist in Aging II), at the Commission on Aging; companion measure to File 101-96-51. (Department of Human Resources) Referred to Finance Committee.

File 114-97-001. [Revised 1995 San Francisco Building Code] Ordinance repealing Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) adopted by Ordinance No. 388-95, effective December 29, 1995; readopting by reference the 1994 Uniform Building Code as amended by the California Building Code (State Code); retaining and making applicable to the State code nonsubstantive editorial revisions to previously adopted San Francisco amendments to the State Code to conform to Charter Section 03.750, provided however that substantive changes be made to provisions concerning commercial energy conservation, code review advice and grading, and, provided further that San Francisco amendments to the State Code which specifically name the responsible enforcement agency be repealed; making findings of local conditions required by State law; republishing the retained San Francisco amendments in a volume separate from the State Code; reformatting the San Francisco amendments to correspond to the organization and formatting adopted by the State Code. (Building Inspection Commission) Referred to Economic Development, Transportation and Technology Committee.

File 121-97-002. [Tour Bus Restrictions] Ordinance amending Police Code by adding Section 1184, regarding tour bus restrictions on streets accessing the Presidio. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 127-97-003. [Board of Appeals Procedures] Ordinance amending Article 1, Part III of the San Francisco Municipal Code, by amending Sections 8, 9, 10, 11, 13, 14, 19, 30, and 31, relating to procedures of the Board of Appeals, to conform to the new Charter; companion measure to File 97-97-11. (Board of Appeals). Referred to Rules Committee.

#### Resolutions Referred to Committee

File 018-97-002. [Stop Intersections] Resolution designating certain intersections as "Stop" intersections. DPT Order No. 1269. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 019-97-002. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1269. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 020-97-002. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1269. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 161-97-004. [Redevelopment Project Area Committee] Resolution confirming the election of members to the Project Area Committee for the Mid-Market Redevelopment Project Area. (Redevelopment Agency) Referred to Economic Development, Transportation and Technology Committee.

File 172-97-008. [Authorization to Indemnify, Seacliff Repairs] Resolution authorizing the Department of Public Works to enter into agreement of indemnity with Shapiro, Okino, Hom & Associates from claims arising out of its services at Seacliff. (Also see File 28-96-1) Referred to Finance Committee.

File 199-97-001. [Retrocession of Jurisdiction, Treasure Island] Resolution endorsing the State of California's acceptance of retrocession of existing sovereignty and Federal jurisdiction and provision for concurrent jurisdiction over Naval Station Treasure Island upon the satisfaction of certain conditions precedent. (Mayor) Referred to Economic Development, Transportation and Technology Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter be sent to the Police Commission urging them to draft satisfactory procedures to develop an evidence policy.

By Supervisor Newsom, that City Attorney draft resolution urging the Department of Parking and Traffic to change the one hour parking meters in the West Portal shopping area from one hour to two hours.

#### ADJOURNMENT

There being no further business, the Board at the hour of 4:29 p.m. adjourned.

John L. Taylor, Clerk

Monday, March 17, 1997

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 19, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors





Monday, March 24, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 24, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Noted absent at first roll call:

Supervisors Bierman, Katz - 2.

Quorum present.

Supervisor Bierman was noted present at 2:12 p.m.

Supervisor Katz was noted present at 2:10 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Teng, moved that the Journals of Proceedings for Tuesday, January 21 and Monday, January 27, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Leal, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Katz - 2.

SPECIAL ORDER 2:00 P.M.

COMMITTEE REPORT

Recommendations of Finance Committee

Adopted

[Rebuttal Argument to Proposition A]

Motion authorizing rebuttal argument to opponent's ballot argument against Proposition A, a bond measure concerning education facilities. (Supervisor Teng)

File 60-97-2.5.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Katz - 2.

[Rebuttal Argument to Proposition B]

Motion authorizing rebuttal to opponent's ballot argument against Proposition B, a bond measure concerning cultural facilities. (Supervisor Kaufman)

File 60-97-2.4.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Katz - 2.

[Rebuttal Argument to Proposition C]

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a bond measure concerning zoo facilities. (Supervisor Yaki)

File 60-97-2.6.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Katz - 2.

[Rebuttal Argument to Proposition D]

Motion authorizing rebuttal argument to opponent's ballot argument against Proposition D, a lease-financing bond measure concerning football stadium. (Supervisor Brown)

File 60-97-3.3.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Katz - 2.

[Rebuttal Argument, Proposition E]

Motion authorizing rebuttal argument to opponent's ballot argument against Proposition E, a charter amendment concerning public utilities commission revenue uses. (Supervisor Kaufman)

File 280-96-3.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Katz - 2.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Parking and Traffic Dept.]

Ordinance appropriating \$100,000, Parking and Traffic Department, of Traffic Fines Revenue to other current expenses for the cost of the Red Light Camera Enforcement Pilot Project for fiscal year 1996-97; providing for ratification of action previously taken. (Supervisors Leal, Teng)

File 101-96-48, Ordinance No. 100-97

(Fiscal Impact.)

Finally passed.

[Special Funds, Police Department]

Ordinance amending Administrative Code, establishing a special fund for equipment and maintenance of the police gymnasium at the Hall of Justice. (Police Department)

File 97-97-8, Ordinance No. 112-97

(Adds Section 10.117-118.)

Finally passed.

[Credit Card Payment]

Ordinance amending Administrative Code, to authorize all officers, boards, commissions and departments of the City and County to accept credit, debit and ATM cards for the payment of fees, taxes or other charges, and to delete direct authorization for the Department of Public Health, Art Commission, Library Department, Recreation and Park Commission, Parking and Traffic Commission, Department of Animal Care and Control and the Treasurer/Tax Collector to accept payment by credit, debit or ATM card. (Supervisors Kaufman, Bierman, Teng)

File 97-97-9, Ordinance No. 113-97

(Amends Section 10.11-1.)

Finally passed.

[Birth Certificate Fees]

Ordinance amending Part III, Article 2, Municipal Code (License Fees) to increase the fee for a certified copy of a birth certificate by three dollars (\$3.00), with the proceeds of this increase to be used to help fund dependency mediation in Juvenile Court. (Superior and Municipal Courts)

File 127-97-2, Ordinance No. 118-97

(Fiscal Impact.)

(Adds Section 249.16.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Robinson Construction Company v. CCSF]

Ordinance authorizing settlement of litigation of Robinson Construction Company against the City and County by payment of \$996,747.69. (City Attorney)

File 45-97-20, Ordinance No. 103-97

(Santa Clara County Superior Court Case No. CV760245.)

Finally passed.

[Yelizaveta Bluvshiteyn v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Yelizaveta Bluvshiteyn against the City and County, Muni, et al. by payment of \$40,000. (City Attorney)

File 45-97-21, Ordinance No. 104-97

(Superior Court No. 976-704.)

Finally passed.

[John Liu v. CCSF, et al.]

Ordinance authorizing settlement of litigation of John Liu against the City and County by payment of \$5,500. (City Attorney)

File 45-97-22, Ordinance No. 105-97

(Superior Court No. 973-796.)

Finally passed.

[Martin Harjani v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Martin Harjani against the City and County by payment of \$16,778.63. (City Attorney)

File 45-97-23, Ordinance No. 106-97

(Municipal Court No. 116-736.)

Finally passed.

[State of California v. CCSF, et al.]

Ordinance authorizing settlement of litigation of State of California against the City and County by payment of \$7,700. (City Attorney)

File 45-97-24, Ordinance No. 107-97

(Municipal Court No. 124-885.)

Finally passed.

Monday, March 24, 1997

[Loretia Yan v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Loretia Yan against the City and County by payment of \$30,000. (City Attorney)

File 45-97-25, Ordinance No. 108-97

(Superior Court No. 976-294.)

Finally passed.

[Marvin Woodside v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Marvin Woodside v. City and County, et al. (San Francisco General Hospital), by payment of \$32,500. (City Attorney)

File 45-97-26, Ordinance No. 99-97

(Superior Court No. 978-454.)

Finally passed.

[CCSF v. General Engineering and Machine Works]

Ordinance authorizing settlement of litigation in City and County of San Francisco v. General Engineering and Machine Works, by accepting payment to Laguna Honda Hospital of \$75,000. (City Attorney)

File 46-97-4, Ordinance No. 109-97

(Superior Court No. 972-391.)

Finally passed.

[Pleasant Hill Cremation Cases]

Ordinance authorizing partial settlement against certain defendants in a class action entitled In Re: Pleasant Hill Cremation Cases, with payment of a total of \$3,380,000 for administrative and litigation costs, attorney's fees, maintenance of a memorial, and payment of claims submitted by class members. (Also see File 46-95-4.) (City Attorney)

File 46-97-5, Ordinance No. 110-97

(Superior Court No. 943-703.)

Finally passed.

[Time for Award of Contracts]

Ordinance amending Administrative Code, to provide for additional time for awarding contracts let by the Public Utilities Commission; the provisions of this ordinance shall expire on June 30, 1998. (Public Utilities Commission)

File 97-97-1, Ordinance No. 111-97

(Amends Section 6.1-1.)

Finally passed.

#### Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Sidewalk Width Regulations, Jack London Alley]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1539 changing the official width of sidewalk on the southwesterly side of Jack London Alley between South Park and Varney Place, as shown on the Department of Public Works drawing labeled Q-20-472 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-97-4, Ordinance No. 102-97

Finally passed.

[Commercial Vehicle/Transit Area, Sansome Street]

Ordinance amending the Traffic Code, establishing an exclusive commercial vehicle/transit area on Sansome Street between Washington Street and Bush Street. (Department of Parking and Traffic)

File 124-97-2, Ordinance No. 117-97

(Adds Section 31.6.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Katz - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Appropriation, Medical Examiner/Coroner]

Ordinance appropriating \$22,063, Medical Examiner/Coroner, of Jail Overcrowding Fine Revenue to professional services, materials and supplies, equipment purchase and maintenance for a DUI (driving under influence) Testing Program for fiscal year 1996-97; placing \$22,063 on reserve. (Controller)

File 101-96-49, Ordinance No. 101-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Katz - 2.

Consideration Continued

[Public Health License Fees]

Ordinance amending Health Code, relating to license and reinspection fees for the Department of Public Health. (Department of Public Health)

File 118-96-8, Ordinance No.

(Amends Sections 258, 451 and 609.)

Supervisor Newsom, seconded by Supervisor Teng, moved to continue consideration to April 7, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Public Health License Fees]

Ordinance amending Part III of the Municipal Code (Revenue and Finance), relating to fees for licenses or permits for inspections by the Department of Public Health; companion measure to File 118-96-8. (Department of Public Health)

File 127-96-10, Ordinance No.

(Amends Sections 35, 120, 248, 249.1, 249.7 and 249.13.)

Supervisor Newsom, seconded by Supervisor Teng, moved to continue consideration to April 7, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

From the Board

Monday, March 24, 1997

Finally Passed

[Amendment to Rincon Point-South Beach Redevelopment Plan]

Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, amended by Ordinance No. 405-91, amended by Ordinance No. 137-92, amended by Ordinance No. 270-92, amended by Ordinance No. 430-94, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the project area by adding land to the Rincon Point Sub-Area of the Project Area, specifically Lot 33 of Assessor Block 3741. (Supervisor Yaki)

File 151-97-1.2, Ordinance No. 119-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Encroachment Permit, 1550 Sutter/Bush Streets]

Resolution granting revocable permission to James E. Roberts-Obayashi Corporation to temporarily close and occupy the south sidewalk and a portion of the street on Bush Street during construction operations for the Coventry Park Project at 1550 Sutter Street. (Department of Public Works)

File 10-97-1, Resolution No. 241-97

(Fiscal Impact.)

(March 13, 1997 - Transferred from Housing and Neighborhood Services Committee.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Encroachment Permit, 657 Turk/Elm Streets]

Resolution granting revocable permission to Nielsen Dillingham Buildings, Inc., to temporarily close and occupy the south sidewalk and a portion of the street area on Turk Street and the north sidewalk and a portion of the street area on Elm Street during construction operations at Tenderloin Elementary School at 657 Turk Street. (Department of Public Works)

File 10-97-2, Resolution No. 242-97

(Fiscal Impact.)

(March 13, 1997 - Transferred from Housing and Neighborhood Services Committee.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Negative Declaration, Sale of Property]

Resolution confirming review and consideration of Final Negative Declaration prepared pursuant to the California Environmental Quality Act for the sale to the San Francisco Redevelopment Agency of a portion of Steuart and Spear Streets and described generally as a portion of Lot 33, Assessor's Block 3741. (Supervisor Yaki)

File 96-97-1, Resolution No. 262-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Property Sale, Steuart/Spear Streets]

Resolution approving and authorizing an agreement with the Redevelopment Agency for the sale directly to the Agency of certain real property formerly occupied by the Embarcadero Freeway between Steuart and



Spear Streets described generally as a portion of Lot 33, Assessor's Block 3741, for a sales price of \$4,000,000, and for the purpose of enabling the Agency to convey such property for development of a headquarters building under an existing disposition and development agreement between the Agency and The Gap, Inc.; and adopting findings that the sale is consistent with the City's General Plan and eight priority policies of City Planning Code Section 101.1; companion measure to File 96-97-1. (Supervisor Yaki)

File 96-97-1.1, Resolution No. 263-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Bond Document]

Resolution authorizing execution of a consent to the developer loan assignment and assumption agreement relating to the Housing Authority Variable Rate Demand Multifamily Housing Revenue Bonds, 1985 Series D (737 Post Project); and ratifying actions previously taken. (Mayor's Office of Housing)

File 170-97-1, Resolution No. 269-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Economic Development, Transportation  
and Technology Committee

Adopted as Amended

[Carlton Goodlett Place]

((Resolution expressing the support of the Board of Supervisors to change the San Francisco City Hall address from Polk Street, between Grove and McAllister Streets, to Carlton Goodlett Place.)) (Supervisors Brown, Yaki, Bierman, Teng, Ammiano, Newsom, Yee, Katz, Kaufman, Medina, Leal)

Resolution honoring Dr. Carlton B. Goodlett by changing the City Hall address to 1 Dr. Carlton B. Goodlett Place and changing the name of Polk Street, between Grove and McAllister, to Dr. Carlton B. Goodlett Place.

File 75-97-1.1, Resolution No. 259-97

Supervisor Brown, seconded by Supervisor Yaki, moved an amendment of the whole entitled, "Resolution honoring Dr. Carlton B. Goodlett by changing the City Hall address to 1 Dr. Carlton B. Goodlett Place and changing the name of Polk Street, between Grove and McAllister, to Dr. Carlton B. Goodlett Place."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Redevelopment Agency]

Resolution approving and adopting procedures in the Articles of formation for a Redevelopment Project Area Committee for the South of Market Redevelopment Project. (Supervisor Bierman)

File 161-97-3, Resolution No. 268-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[State Grant, Cesar Chavez Street Improvements]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend up to \$570,000 in State Flexible Congestion Relief funds for the engineering design of a bicycle bridge within the Cesar Chavez Street Circle (formerly Army Street Circle) at US 101, the widening of an existing bicycle/pedestrian pathway, pedestrian ramps, a new traffic signal at the intersection of Cesar Chavez Street and Connecticut Street, and sidewalk improvement along the south side of Cesar Chavez Street, from Evans Avenue to Mississippi Street. (Department of Parking and Traffic)

File 192-97-3, Resolution No. 273-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendation of Joint Economic Development, Transportation  
and Technology and Housing and Neighborhood  
Services Committee

Passed for Second Reading

[Turn Restrictions, Bicycles and Motorcycles]

Ordinance amending Traffic Code, regarding the exemption of bicycles and motorcycles from turn restrictions. (Department of Parking and Traffic)

File 124-96-9, Ordinance No.

(Adds Section 34.2 et seq.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Health, Family and Environment Committee

Adopted

[Domestic Violence Protocol]

Resolution endorsing the San Francisco Domestic Violence Protocol, which establishes guidelines for health care professionals for response to domestic violence in order to improve the quality of care given to domestic violence patients, and encouraging all public and private health care providers to adopt and implement it as soon as possible. (Supervisors Kaufman, Leal, Katz, Brown, Bierman, Ammiano, Teng, Yaki, Medina)

File 30-96-22, Resolution No. 232-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Teng, Yaki, Medina requested to be added as co-sponsors.

The President resumed the Chair.

[Grant Funds for Alternative Fuel Vehicles]

Resolution authorizing the Director of Administrative Services to accept and expend \$555,710 from the Transportation Fund for Clean Air for alternative fuel vehicles; and authorizing the Director of Administrative Services to execute an agreement with the Bay Area Air Quality Management District whereby the City would indemnify the District from claims resulting from the City's performance of said agreement. (Department of Administrative Services)

File 133-97-1, Resolution No. 264-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[State Grant, Oil Spill Prevention]

Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to apply for, accept and expend retroactively a grant of \$7,499, from the California Department of Fish & Game, Office of Oil Spill Prevention and Response, for providing input into the San Francisco Bay/San Joaquin Delta Area Contingency Plan for oil spills and development of a Memorandum of Understanding with the State for oil spill response; providing for ratification of action previously taken. (Department of Public Health)

File 146-97-4, Resolution No. 265-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Hazardous Materials Emergency Response Equipment]

Resolution rescinding Resolution No. 74-97 and authorizing the Department of Public Health, Bureau of Environmental Health, to retroactively apply for, accept and expend a grant from the California Environmental Protection Agency, Department of Toxics Substances Control, in the amount of \$8,500, for hazardous materials emergency response equipment; waiving indirect costs. (Department of Public Health)

File 146-97-5, Resolution No. 266-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboriae P. Smoore, Alice Griffith Projects;  
Frances Zander, tenant-landlord harassment issues;  
Jan McIssaac, police harassment;  
Rita Tonucci, same-sex marriage;  
Reuben David Goodman, community center, Dr. Goodlett;  
Constance Kuruppv, justice for Aaron Williams and Mark Garcia.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Tibetan National Day]

Resolution proclaiming March 10, 1997 to be Tibetan National Day to commemorate the Tibetan uprising on March 10, 1959. (Supervisors Ammiano, Bierman, Yaki)

File 4-97-10, Resolution No.

(March 17, 1997 - Introduced in Board for consideration on March 24, 1997.)

At the request of Supervisor Teng, referred to Rules Committee.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Bayview Hunters Point Project Area Committee]

Resolution commending The Bayview Hunters Point Project Area Committee and declaring March 17, 1997 "Bayview Hunters Point Project Area Committee Day" in San Francisco. (Supervisors Brown, Bierman, Kaufman, Newsom, Teng, Leal, Yaki, Katz)

File 006-97-033, Resolution No. 234-97

(March 17, 1997 - Introduced in Board for consideration on March 24, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Newsom, Teng, Leal, Yaki, Katz requested to be added as co-sponsors.

[U.S. Holocaust Memorial Museum]

Resolution supporting the United States Holocaust Memorial Museum's continuing inclusion of an exhibit on the treatment of homosexuals during the holocaust; supporting the Federal Government's continued funding of the museum and its programs; and opposing a boycott on visits to the museum. (Supervisors Leal, Kaufman, Katz, Bierman, Newsom, Teng, Yaki, Brown)

File 013-97-006, Resolution No. 245-97

(March 17, 1997 - Introduced in Board for consideration on March 24, 1997.)

Adopted.

In connection with the above item, Supervisors Newsom, Teng, Yaki, Brown requested to be added as co-sponsors.

[S. 392, Public Benefits to Legal Immigrants]

Resolution supporting S. 392 and urging the United States Senate to pass S. 392 to ensure legal immigrants can retire with dignity and respect. (Supervisors Teng, Brown, Bierman, Yaki, Yee, Kaufman, Katz, Leal)

File 013-97-007, Resolution No. 246-97

(March 17, 1997 - Introduced in Board for consideration on March 24, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Katz, Leal requested to be added as co-sponsors.

[Cong. Pelosi's Citizenship Process Effort]

Resolution supporting Congresswoman Nancy Pelosi's effort in expediting the citizenship process. (Supervisors Teng, Brown, Bierman, Medina, Yaki, Yee, Kaufman, Newsom, Leal, Katz)

File 13-97-8, Resolution No. 247-97

(March 17, 1997 - Introduced in Board for consideration on March 24, 1997.)

Adopted.

Monday, March 24, 1997

In connection with the above item, Supervisors Kaufman, Newsom, Leal, Katz requested to be added as co-sponsors.

[Bank of America Branch Closures]

Resolution urging the Bank of America to keep its branch bank at Ocean-Faxon or find a substitute financial institution to serve the neighborhood before they close the branch. (Supervisors Medina, Teng, Bierman, Yaki, Brown)

File 227-97-002.01, Resolution No. 276-97

In connection with the above item, Supervisors Yaki, Brown requested to be added as co-sponsors.

[December Winter Storm of 1996 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms. (Supervisors Kaufman, Teng)

File 270-97-1.5

(March 17, 1997 - Introduced in Board for consideration on March 24, 1997.)

Adopted.

[Commend Malaco International, Inc.]

Resolution commending Malaco International, Inc. for outstanding display of business leadership in the Latino community. (Supervisors Medina, Teng, Bierman, Brown)

File 6-97-34, Resolution No. 235-97

(March 19, 1997 - Referred to Board for consideration on March 24, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Brown requested to be added as co-sponsors.

[Commend "Z" Radio Network]

Resolution commending the "Z" Radio Network for outstanding display of business leadership in the Latino community. (Supervisors Medina, Teng, Bierman, Brown)

File 6-97-35, Resolution No. 236-97

(March 19, 1997 - Referred to Board for consideration on March 24, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Brown requested to be added as co-sponsors.

[Commend A.Ruiz Construction Company]

Resolution commending A. Ruiz Construction Co. for outstanding display of business leadership in the Latino community. (Supervisors Medina, Teng, Bierman, Brown)

File 6-97-36, Resolution No. 237-97

(March 19, 1997 - Referred to Board for consideration on March 24, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Brown requested to be added as co-sponsors.

[Commend Barri Electric Co., Inc.]

Resolution commending Barri Electric Co., Inc. for outstanding display of business leadership in the Latino community. (Supervisors Medina, Teng, Bierman, Brown)

File 6-97-37, Resolution No. 238-97

(March 19, 1997 - Referred to Board for consideration on March 24, 1997.)

Adopted.

Monday, March 24, 1997

In connection with the above item, Supervisors Teng, Bierman, Brown requested to be added as co-sponsors.

[Commend Pacific Marine Yachts]

Resolution commending Pacific Marine Yachts for outstanding display of business leadership in the Latino community. (Supervisors Medina, Teng, Bierman, Brown)

File 6-97-38, Resolution No. 239-97

(March 19, 1997 - Referred to Board for consideration on March 24, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Brown requested to be added as co-sponsors.

[Final Map, 1228 Grove Street]

Motion approving final map of 1228 Grove Street, a Residential Condominium Project, being a subdivision of Lot 10 in Assessor's Block 1181, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

File 58-97-4

(March 14, 1997 - Referred to Board for consideration on March 24, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Katz, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Katz, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

[Imperative Resolutions]

Monday, March 24, 1997

Adopted

[Commend Martha & Bros.]

Resolution commending Martha & Bros. on the occasion of the inauguration of their new Mission Street coffee house and proclaiming March 27, 1997 as Martha & Bros. Day in City and County of San Francisco.

File 006-97-039, Resolution No. 240-97

Supervisors Medina, Leal, Bierman, Teng, Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Fiscal Impact]

Ordinance amending Administrative Code Section 2.6-3 which requires that legislation which has a fiscal impact be reviewed by the fiscal committee of the Board of Supervisors, to amend the definition of fiscal impact to apply when an expenditure or commitment of city funds exceeds \$200,000 in any fiscal year, or \$1,000,000 over a five-year period. Supervisor Kaufman presented. Referred to Finance Committee.

File 097-97-015.

[Joint Fundraising Drive]

Draft ordinance amending Administrative Code Section 16.93-2 to allow explicitly any Mayor's Fund created to further social causes to participate in the Annual Joint Fundraising Drive. Mayor Willie L. Brown, Jr. presented. Referred to Rules Committee.

File 097-97-016.

Referred to Board

[Bike-to-Work Week]

Resolution proclaiming May 19-23, 1997 as "Bike-to-Work Week in the City and County of San Francisco. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar March 31, 1997.

File 004-97-011.

[Parliamentary Law Month]

Resolution proclaiming April as Parliamentary Law Month in San Francisco and commending its annual observance to all of the residents of the City and County of San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 31, 1997.

File 004-97-012.

[Commend Darcus G. Thomas]

Resolution commending Darcus G. Thomas as she retires from the San Francisco Public Library as Ocean View Branch Librarian, and declaring March 26, 1997 to be "Darcus G. Thomas Day" in the City and County of San Francisco. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar March 31, 1997.

File 006-97-040.

[Commend David Jamison]

Resolution recognizing David Jamison for his great contributions of time and talent to the Friends of Recreation and Parks and commending him for his valuable gift of service to the City and County of San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 31, 1997.

File 006-97-041.

Monday, March 24, 1997

[Supporting AB 23, 991 and 1389]

Resolution supporting Assembly Bills 23, 991 and 1389, which strengthen restrictions on assault weapons. Supervisors Yee, Ammiano, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 31, 1997.

File 012-97-008.

Referred to Committee

[Spent Nuclear Fuel Shipment]

Resolution reaffirming that the Board of Supervisors encourages the Department of Energy and President Bill Clinton to reject the transport of spent nuclear fuel through San Francisco Bay for use at the Concord Naval Weapons Station. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 013-97-009.

[BART/Airport Agreement]

Resolution authorizing Airport Commission to deduct from the annual service payment to the City Bay Area Rapid Transit system (BART) charges owing to Airport. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 027-97-004.

[Gift Acceptance]

Resolution authorizing the Department of Public Works to accept a gift from JC Decaux San Francisco, Inc. of various street furniture including installation and maintenance valued in excess of five hundred thousand dollars (\$500,000). Mayor Willie L. Brown, Jr. presented. Referred to Rules Committee.

File 038-97-002.

[Transbay Terminal Replacement Facility]

Resolution indicating the Board of Supervisors' endorsement of the Main/Beale South Design Concept and Program for a replacement facility for the transbay transit terminal and urging the Mayor to take all steps necessary, with Caltrans, the Metropolitan Transportation Commission, and other parties as appropriate, to complete project planning and assure implementation of the facility and its integration with area land use and revitalization. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 085-97-002.

[Appointment, County Treasury Oversight Committee]

Draft resolution appointing members to the County Treasury Oversight Committee. Supervisor Kaufman presented. Referred to Rules Committee.

File 092-97-010.

Referred to Board

[Funds, Recreation and Park Department]

Resolution approving application by Recreation and Park Department to California Integrated Waste Management Board for \$25,000 for rubberized playground mats for Macaulay Park. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar March 31, 1997.

File 150-97-001.

Referred to Committee

[Labor Issue, Kaiser Permanente]

Resolution urging that Kaiser Permanente provide the highest possible level of preventative, acute and home care; maintain the role of the registered nurses; and keep all facilities open with sufficient qualified staff to meet all the patient care needs of all Kaiser Permanente members. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 176-97-001.



Monday, March 24, 1997

Referred to Board

[Esprit Park]

Resolution supporting the Friends of Esprit Park in their efforts to preserve Esprit Park as a publicly-owned park and urging the San Francisco Real Estate Department to work with the Trust for Public Land to seek a viable funding strategy to purchase the park. Supervisors Bierman, Ammiano, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar March 31, 1997.

File 218-97-002.

Hearings:

[Continuum of Care Plan]

Hearing to receive reports from departments on the status of "action steps" outlined in the Continuum of Care Plan and integration of the Welfare Reform Task Force. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 107-97-001.

[Traffic Congestion Hot Line]

Hearing to request the Department of Parking and Traffic to establish a hot line for reporting traffic congestion and delays and further requesting the traffic control officers to report to the problem area immediately. Supervisors Ammiano, Bierman, Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 190-97-006.

[Gold Rush Trail]

Hearing to consider requesting the Department of Parking and Traffic, Department of Planning and the Bureau of Street Use and Mapping to work with the Gold Rush Trail Foundation to establish and maintain a historical walking trail which features buildings of historic significance and traces sites relevant to 16 key themes, including arts, culture, industry, trade, women's history, ethnic diversity and others and for it to be designated as the Gold Rush Trail. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 236-97-001.

Motion:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 31, 1997.

File 030-97-001.05.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-030. [Vernon J. Moran v. CCSF, et al.] Ordinance authorizing settlement of litigation of Vernon J. Moran against the City and County of San Francisco by payment of \$70,000. (Superior Court No. 963-450) (City Attorney) Referred to Rules Committee.

File 097-97-013. [Repeal Commission on San Francisco's Environment] Ordinance amending San Francisco Municipal Code by repealing Article XVI, Chapter V, Part 1 (Administrative Code Sections 5.150 through 5.152), establishing the Commission on San Francisco's Environment as an advisory body to the Board of Supervisors. (Department of Environment) Referred to Rules Committee.

File 101-96-052. [Appropriation, Police Department] Resolution appropriating \$575,000, Police Department, of Citizens' Option for Public Safety (COPS) Program Revenue to match the COPS-MORE grant and implement a behavioral health benefits program for fiscal year 1996-97; companion measure to Files 143-97-2 and 207-97-8. RO #96247. (Controller) Referred to Finance Committee.

File 101-96-053. [Appropriation, Fine Arts Museum] Ordinance appropriating \$66,485, Fine Arts Museum, from Hotel Tax Revenue and rescinding \$124,457 from services of other departments to appropriate \$190,942 to salaries and fringe benefits to cover budget shortfall for fiscal year 1996-97. RO #96259. (Controller) Referred to Finance Committee.

File 101-96-054. [Appropriation, Municipal Railway] Ordinance appropriating \$372,639, Department of Public Transportation - Municipal Railway, from Fare Revenue for salaries, fringe benefits and professional services for the creation of thirty-eight (38) positions to implement Prop J audit recommendations for fiscal year 1996-97; companion measure to File 102-96-14. RO #96260. (Controller) Referred to Finance Committee.

File 101-96-055. [Appropriation, Planning Department] Ordinance appropriating \$295,400, Planning Department, of Planning Commission Fee Revenue for salaries, fringe benefits, other current expenses, equipment purchase, and services of other departments for the creation of nine (9) positions to expand permitting services for fiscal year 1996-97; companion measure to File 102-96-13. RO #96254. (Controller) Referred to Finance Committee.

File 102-96-013. [Salary Ordinance Amendment] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97), reflecting the creation of nine (9) positions in Planning Department; companion measure to File 101-96-55. (Department of Human Resources) Referred to Finance Committee.

File 102-96-014. [Salary Ordinance Amendment] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97), reflecting the creation of thirty-eight (38) positions at the Department of Public Transportation-Municipal Railway; companion measure to File 101-96-54. (Department of Human Resources) Referred to Finance Committee.

#### Resolutions Referred to Committee

File 040-97-009. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 048-97-024. [Settlement of Claim, Teeana Carpenter] Resolution approving the settlement of the unlitigated claim of Teeana Carpenter by payment of \$11,000.00. (City Attorney) Referred to Rules Committee.

File 048-97-025. [Settlement of Claim, David Yoon] Resolution approving the settlement of the unlitigated claim of David Yoon by payment of \$13,500.00. (City Attorney) Referred to Rules Committee.

File 048-97-026. [Settlement of Claim, Elizabeth Klein] Resolution approving the settlement of the unlitigated claim of Elizabeth Klein by payment of \$9,536.36. (City Attorney) Referred to Rules Committee.

File 065-97-004. [Lease, Water Department/Cisco Systems, Inc.] Resolution authorizing a 40-year lease of Public Utilities Commission land between the City and County of San Francisco and Cisco Systems, Inc., in Santa Clara County. (Public Utilities Commission) Referred to Finance Committee.

File 143-97-002. [Grant, "COPS MORE '96" Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for retroactively, accept and expend funds in the amount of One Million Five Hundred Fifty Eight Thousand Eight Hundred Seventeen Dollars (\$1,558,717), excluding indirect costs not allowed under this program, for a project known as "COPS-MORE '96" and agreeing to provide a local match in the amount of Five Hundred Nineteen Thousand Five Hundred Seventy Three Dollars (\$519,573); companion measure to Files 101-96-52 and 207-97-8. (Mayor) Referred to Finance Committee.

File 152-97-002. [Standards and Training, Local Corrections] Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department of the City and County of San Francisco to apply for, retroactively, accept and expend \$329,250.00 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Programs; stipulating adherence to standards for recruitment and training established by the Board of Corrections, waiving any indirect costs. (Sheriff) Referred to Housing and Neighborhood Services Committee.

File 207-97-008. [Police Behavioral Health Benefits Insurance] Resolution authorizing the San Francisco Police Department to obtain behavioral health benefits insurance coverage for its members; companion measure to Files 101-96-52 and 143-97-2. (Mayor) Referred to Finance Committee.

File 213-97-001. [Grants - Federal, State Regional/Local Funds] Resolution authorizing the Public Transportation Commission to retroactively apply for, accept and expend \$107,060,210 of Federal Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement Program (CMAQ), Section 3, and Section 9 Operating and Capital Assistance, and \$991,378 of State Transit Capital Improvement Funds, State Traffic Systems Management Funds, State-Local Partnership Program and \$27,513,505 from various local match sources such as from State Transit Assistance Funds, Transportation Development Act Funds, Bridge Toll Net Revenues, Regional Measure One Funds, Gas Tax Revenues, Transit Impact Development Fees, San Francisco Municipal Railway Improvement Corporation Funds, and/or San Francisco County Transportation sales taxes for ten Municipal Railway capital projects, including \$1,001,414 of indirect costs. (Municipal Railway) Referred to Economic Development, Transportation and Technology Committee.

Monday, March 24, 1997

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yaki, that City Attorney prepare ordinance amending the Redevelopment Plan to provide for the inclusion of an exaction to create an employment training and employment development fund. The language should parallel the language amending the Redevelopment Plan to include the goals and policies of Planning Code Section 314 (child-care requirements for office and hotel development projects) and to extend its application to further include large retail projects. For purpose of introduction, the fee shall be \$1.00 per gross square foot of space, calculated by using the same formula delineated in Planning Code Section 314. The final amount, however, will be determined through consultation with employers and job training organizations.

By Supervisor Ammiano, that letter be sent to the Director of Planning requesting he meet with regional representatives of fast food franchises (i.e., Burger King) to determine what their plans for expansion are in San Francisco.

By Supervisor Katz, that letter of inquiry be sent to the Tax Collector to determine the revenue generated by businesses in the Oceanside/Merced/Ingleside neighborhood.

By Supervisor Katz, that City Attorney draft ordinance to encourage or require City departments to undertake programs to provide on-the-job training to AFDC recipients.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Jess T. Esteva (By the entire Board)  
Nira Long (Supervisor Brown)  
Laurel Cockran (Supervisor Newsom)

File 2-97-12

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:49 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 7, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, March 31, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, March 31, 1997 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Kaufman, Medina, Newsom, Yaki - 6.

Noted absent at first roll call:

Supervisors Brown, Katz, Leal, Teng, Yee - 5.

Quorum present.

Supervisor Brown excused. (See infra.)

Supervisor Katz was noted present at 2:03 p.m.

Supervisor Leal was noted present at 2:01 p.m.

Supervisor Teng excused. (See infra.)

Supervisor Yee was noted present at 2:01 p.m.

Supervisors Brown and Teng Excused

The Clerk stated Supervisors Brown and Teng requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Ammiano, moved to excuse Supervisors Brown and Teng from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Teng - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Yaki, moved that the Journals of Proceedings for Monday, February 3 and February 10, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Teng - 3.

CONSENT CALENDAR

Recommendation of Joint Economic Development, Transportation  
and Technology and Housing and Neighborhood  
Services Committee

Finally Passed

[Turn Restrictions, Bicycles and Motorcycles]

Ordinance amending Traffic Code, regarding the exemption of bicycles and motorcycles from turn restrictions. (Department of Parking and Traffic)

Monday, March 31, 1997

File 124-96-9, Ordinance No. 120-97

(Adds Section 34.2 et seq.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Residential Parking Area "I", Bartlett Street]

Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-97-7, Resolution No. 288-97

Adopted.

[State Grant - Project Read]

Resolution authorizing the City Librarian to apply for retroactively, accept and expend funds not to exceed \$30,000 from the California State Library, for Project Read, including indirect costs of five percent. (Supervisors Teng, Yee, Medina)

File 147-97-3, Resolution No. 298-97

Adopted.

[State Grant - Major Urban Resource Libraries]

Resolution authorizing the Public Library to accept and expend funds not to exceed \$89,484 available through the California State Library from Title 1 of the Library Services and Construction Act for Major Urban Resource Libraries for fiscal year 1996-97; waiving indirect costs. (Supervisors Teng, Yee, Medina)

File 147-97-4, Resolution No. 299-97

Adopted.

[State Grant, Online Library Catalogs]

Resolution authorizing the Public Library, through the Bay Area Library and Information Systems (BALIS), to apply retroactively, accept and expend \$56,200 to be awarded by the California State Library, as part of the California Library Services Act, Database Systems Program, to purchase Z39.50 server software to improve regional access to online library catalogs. (Supervisors Teng, Yee, Medina)

File 147-97-5, Resolution No. 300-97

Adopted.

Recommendations of Rules Committee

Passed for Second Reading

[Carla Laser v. CCSF et al.]

Ordinance authorizing settlement of litigation of Carla Laser against the City and County by payment of \$180,292.80. (City Attorney)

File 45-97-27, Ordinance No.

(Superior Court No. 969-877.)

Passed for second reading.

[Anthony Perez v. CCSF et al.]

Ordinance authorizing settlement of litigation of Anthony Perez against the City and County by payment of \$20,000. (City Attorney)

File 45-97-28, Ordinance No.

(Superior Court No. 975-445.)



Monday, March 31, 1997

Passed for second reading.

[Alissa Chriss et al. v. CCSF et al.]

Ordinance authorizing settlement of litigation of Alissa Chriss against the City and County by payment of \$19,584.61. (City Attorney)

File 45-97-29, Ordinance No.

(Superior Court No. 982-447.)

Passed for second reading.

Adopted

[Settlement of Claim, Greta Joan Loucel]

Resolution approving the settlement of the unlitigated claim of Greta Joan Loucel by payment of \$7,618.00. (City Attorney)

File 48-97-18, Resolution No. 290-97

Adopted.

[Settlement of Claim, Lupe Villagomez]

Resolution approving the settlement of the unlitigated claim of Lupe Villagomez by payment of \$11,500.00. (City Attorney)

File 48-97-19, Resolution No. 291-97

Adopted.

[Settlement of Claim, Chai Ho Fung]

Resolution approving the settlement of the unlitigated claim of Chai Ho Fung by payment of \$7,000.00. (City Attorney)

File 48-97-20, Resolution No. 292-97

Adopted.

[Settlement of Claim, 20th Century Insurance]

Resolution approving the settlement of the unlitigated claim of 20th Century Insurance by payment of \$8,042.64. (City Attorney)

File 48-97-21, Resolution No. 293-97

Adopted.

[Settlement of Claim, Abram Kislyuk]

Resolution approving the settlement of the unlitigated claim of Abram Kislyuk by payment of \$8,200.00. (City Attorney)

File 48-97-22, Resolution No. 294-97

Adopted.

[Settlement of Claim, Mark Hlady]

Resolution approving the settlement of the unlitigated claim of Mark Hlady by payment of \$5,615.30. (City Attorney)

File 48-97-23, Resolution No. 295-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Teng - 3.

Monday, March 31, 1997

REGULAR CALENDAR

NEW BUSINESS

Recommendation of Finance Committee

Consideration Continued

[Prop J Contract, Laundry Services]

Resolution concurring with the Controller's certification that the laundry services can be performed for the Department of Public Health, San Francisco General Hospital by private contractor for a lower cost than similar work performed by City and County employees; retroactive to January 30, 1997. (Department of Public Health)

File 25-97-1, Resolution No.

Supervisor Medina, seconded by Supervisor Ammiano, moved to continue consideration to April 14, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Recommendations of Finance Committee and  
Economic Development, Transportation, and Technology Committee

Adopted

[License Agreement for Off-Street Parking]

Resolution authorizing the license agreement for parking at the Community Assembly of God Church, 355 Ocean Avenue, for the Municipal Railway. (Real Estate Department)

File 47-97-1, Resolution No. 289-97

(Fiscal Impact.)

(March 18, 1997 - Transferred from Economic Development, Transportation, and Technology Committee.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Renaming Police Crime Lab - Shoji Horikoshi]

Resolution urging the official designation of the Police Crime Lab at 606 Hunters Point as the "Shoji Horikoshi Crime Lab." (Supervisors Medina, Teng, Yee)

File 207-96-12, Resolution No. 279-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[State Grant - Project Read]

Resolution authorizing the City Librarian to apply for retroactively, accept and expend funds not to exceed \$72,087 from the California State Library, for Project Read, including indirect costs of five percent. (Supervisors Teng, Yee, Medina)

File 147-97-2, Resolution No. 297-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Monday, March 31, 1997

[Liquor License, 170 South Van Ness Avenue]

Resolution determining that the issuance of a Type 21 off-sale general alcoholic beverage license to Smart & Final #439 located at 170 South Van Ness Avenue, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-6, Resolution No. 303-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Recommendations of Rules Committee

Passed for Second Reading

[County Treasury Oversight Committee]

Ordinance amending Administrative Code, to establish the Treasury Oversight Committee as an advisory body to the Treasurer. (City Attorney)

File 97-97-10, Ordinance No.

(Adds Sections 10.79-4 through 10.79-8.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Board of Appeals Procedures]

Ordinance amending Administrative Code, relating to notice by the Board of Appeals to the Assessor of decisions granting or modifying a variance on appeal, to conform to the language of the 1996 Charter; companion measure to File 127-97-3. (Board of Appeals)

File 97-97-11, Ordinance No.

(Amends Section 34.5.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Board of Appeals Procedures]

Ordinance amending Article 1, Part III of the Municipal Code, relating to procedures of the Board of Appeals, to conform to the new Charter; companion measure to File 97-97-11. (Board of Appeals)

File 127-97-3, Ordinance No.

(Amends Sections 8, 9, 10, 11, 13, 14, 29, 30, and 31.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[DTIS Memberships]

Ordinance amending Administrative Code, which regulates officers and employees generally, to update the list of organizations on which the Department of Telecommunications and Information Services (formerly Department of Electricity) is represented, by amending the title to reflect the department's change of name, deleting three (3) organizations from the list of those on which the department is represented, and adding seven (7) organizations to the list. (Department of Telecommunications and Information Services, Division of Telecommunications)

File 97-97-12, Ordinance No.

(Amends Section 16.6-28.)

Monday, March 31, 1997

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Adopted

[Appointment]

Resolution ratifying the Mayor's appointment of Stephen Kawa as State Legislative Representative for the City and County of San Francisco. (Mayor)

File 33-97-1, Resolution No. 287-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Appointments]

Resolution appointing sixteen (16) initial members to the Child Care Planning and Advisory Council; terms to be determined by lot. (Rules Committee)

File 92-97-8.1, Resolution No. 296-97

(Margie Stokes, Seat No. 29601, Parent Who Uses Child Care;  
Tanya Twyman, Seat No. 29602, Parent Who Uses Child Care;  
Manuel Kichi Wong, Seat No. 29604, Family Day Care Home;  
Nathan Mason, Seat No. 29605, Head Start Center;  
Marie Lee, Seat No. 29606, Public at Large;  
Sally Large, Seat No. 29607, Rep. of Community Organization;  
Byron Sigal, Seat No. 29610, Local Business;  
Dolores Velaquez, Seat No. 29611, Local Business;  
Gwen Henry, Seat No. 29612, Mayor's Office of Children Youth and Their Families;  
Midge Wilson, Seat No. 29613, Recreation and Park Department;  
Oscaryne Williams, Seat No. 29615, Housing Authority;  
Fran Kipnis, Seat No. 29616, Public at Large;  
Ingrid Mezquita, Seat No. 29617, Parent Using Child Care or Early Childhood Education;  
Deborah Bodrick, Seat No. 29626, Children's Centers run by Unified School District;  
Tonya Hines, Seat No. 29627, Parent of Child in School District, Early Childhood Education Program;  
Linnea Klee, Seat No. 29629, Children's Council of San Francisco.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Marian Borovoy, Parliamentary Law Month;  
Reuben Goodman, violence;  
Rodney, oppose gay/lesbian community center, ballpark;  
Frances Zander, landlord/tenant issue;  
Shawn Ralston, residential hotel evictions, 205 9th Street;  
Sue Trevino, Phillips Hotel visitation rights;  
Barbara Wu, tenant/landlord issue.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Monday, March 31, 1997

Adopted as Amended

[Bike-to-Work Week]

Resolution proclaiming May 19-23, 1997 as "Bike-to-Work Week in the City and County of San Francisco. (Supervisors Leal, Bierman, Katz, Teng, Yee, Medina)

File 4-97-11, Resolution No. 280-97

(March 24, 1997 - Introduced in Board for consideration on March 31, 1997.)

Supervisor Leal, seconded by Supervisor Yaki, moved to amend line 14, after "Commuters" by adding "San Francisco Department of Parking and Traffic, the San Francisco Bicycle Advisory Committee and the San Francisco Bicycle Coalition".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

In connection with the above item, Supervisors Katz, Teng, Yee, Medina requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Parliamentary Law Month]

Resolution proclaiming April as Parliamentary Law Month in San Francisco and commending its annual observance to all of the residents of the City and County of San Francisco. (Supervisors Kaufman, Bierman, Katz)

File 4-97-12, Resolution No. 281-97

(March 24, 1997 - Introduced in Board for consideration on March 31, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Commend Darcus G. Thomas]

Resolution commending Darcus G. Thomas as she retires from the San Francisco Public Library as Ocean View Branch Librarian, and declaring March 26, 1997 to be "Darcus G. Thomas Day" in the City and County of San Francisco. (Supervisors Brown, Bierman, Medina)

File 6-97-40, Resolution No. 282-97

(March 24, 1997 - Introduced in Board for consideration on March 31, 1997.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Commend David Jamison]

Resolution recognizing David Jamison for his great contributions of time and talent to the Friends of Recreation and Parks and commending him for his valuable gift of service to the City and County of San Francisco. (Supervisors Kaufman, Bierman, Katz, Medina)

File 6-97-41, Resolution No. 283-97

(March 24, 1997 - Introduced in Board for consideration on March 31, 1997.)

Adopted.

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In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Supporting AB 23, 991 and 1389]

Resolution supporting Assembly Bills 23, 991 and 1389, which strengthen restrictions on assault weapons. (Supervisors Yee, Ammiano, Kaufman, Bierman)

File 12-97-8, Resolution No. 285-97

(March 24, 1997 - Introduced in Board for consideration on March 31, 1997.)

Adopted.

[Funds, Recreation and Park Department]

Resolution approving application by Recreation and Park Department to California Integrated Waste Management Board for \$25,000 for rubberized playground mats for Macaulay Park. (Supervisors Leal, Bierman, Medina)

File 150-97-1, Resolution No. 301-97

(March 24, 1997 - Introduced in Board for consideration on March 31, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Medina requested to be added as co-sponsors.

[Esprit Park]

Resolution supporting the Friends of Esprit Park in their efforts to preserve Esprit Park as a publicly-owned park and urging the San Francisco Real Estate Department to work with the Trust for Public Land to seek a viable funding strategy to purchase the park. (Supervisors Bierman, Ammiano, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee)

File 218-97-2, Resolution No. 302-97

(March 24, 1997 - Introduced in Board for consideration on March 31, 1997.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.5.

(March 24, 1997 - Introduced in Board for consideration on March 31, 1997.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

#### IMPERATIVE CALENDAR

Adopted

[Serious Injury Finding]

Motion that the Board finds by roll call vote that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Leal, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Monday, March 31, 1997

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Imperative Resolutions]

Adopted

[Commend Antigone Hodgins]

Resolution commending Antigone Hodgins for her outstanding service as Executive Director of Bay Positives and her numerous contributions in the fight against HIV; and declaring Friday, April 4, 1997 as "Antigone Hodgins Day" in San Francisco.

File 006-97-042, Resolution No. 284-97

Supervisors Ammiano, Katz, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[State Legislation, AB 54, Domestic Partners]

Resolution supporting Assembly Bill 54 which would enact the Murray-Katz Domestic Partnership Act, providing for statewide domestic partner registration and conveying certain essential rights to registered domestic partners.

File 012-97-009, Resolution No. 286-97

Supervisors Leal, Ammiano, Katz, Kaufman, Bierman, Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Monday, March 31, 1997

Referred to Committee

[Budget Process]

Draft ordinance amending Administrative Code to establish a budget process pursuant to Charter Section 9.100 by repealing Sections 3.05 through 3.20 and adding Sections 3.1 through 3.25 and reserving Sections 3.26 through 3.49 for future use. Supervisor Kaufman presented. Referred to Finance Committee.

File 097-97-017.

[Dispute Resolution Fee]

Ordinance amending Administrative Code Section 10.117-63 to authorize the Board of Supervisors to increase the surcharge on Superior and Municipal Court filing fees which are designated for the Dispute Resolution Program Fund. Supervisor Kaufman presented. Referred to Finance Committee.

File 097-97-018.

[Labor/Management Card Check Representation]

Draft ordinance creating San Francisco employee signature authorization legislation concerning labor/management card check representation procedure whereby entities choosing to do business with the City must agree to nonconfrontational procedures by which their workers register their preference regarding union representation. Supervisor Ammiano presented. Referred to Finance Committee.

File 240-97-001.

Referred to Board

[Proclaim National Community Theatre Week]

Resolution recognizing the week of April 19-26, 1997 as National Community Theatre Week and applauding and commending the volunteers and supporters of Community Theatre in San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 7, 1997.

File 004-97-013.

[Commend Chinese Central High School]

Resolution commending the Chinese Central High School. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 7, 1997.

File 006-97-043.

[Commend Jessica Stevens]

Resolution commending Jessica Stevens. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar April 7, 1997.

File 006-97-044.

[Commend Natalie Berg]

Resolution recognizing and commending Natalie Berg for her contribution to educational excellence in San Francisco and congratulating her on the occasion of her retirement from the San Francisco Community College District. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 7, 1997.

File 006-97-045.

[Transit Stops at Church and 30th Streets]

Resolution urging Public Transportation Commission to reconsider its decision of March 25, 1997 regarding location of key stops at Church and 30th Streets. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 7, 1997.

File 007-97-006.

[State Legislation, SB 841, Domestic Partners]

Resolution declaring support for Senate Bill 841, authored by Senator Tom Hayden, regarding public contracts and domestic partners. Supervisors Ammiano, Katz, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 7, 1997.

File 012-97-010.



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[State Legislation, AB 488, Handgun Safety]

Resolution supporting Assembly Bill 488 (D-Caldera), the Handgun Safety Standard Act of 1997 prohibiting the manufacture and sale of Saturday Night Specials in the State of California. Supervisors Leal, Yaki, Kaufman, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 7, 1997.

File 012-97-011.

[State Legislation, AB 1191, Red Light Fine]

Resolution supporting Assembly Bill 1191 (D-Shelley) to raise the moving violation fine for red light running to \$270. Supervisors Leal, Katz, Ammiano, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 7, 1997.

File 012-97-012.

[Mission Safe Corridor]

Resolution urging the Mayor to establish a safe corridor program in the Mission District to help ensure that youth have safe access to youth services and other after school activities. Supervisors Leal, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 7, 1997.

File 215-97-002.

Referred to Committee

[Filing Fee Increase, Dispute Resolution]

Resolution amending Resolution No. 1118-96, relating to filing fees in the Superior and Municipal Courts authorized by Government Code Sections 26820.4, 26826, 26827, 68090, 72055 and 72056 to implement the state-enacted dispute resolution programs under the Business and Professions Code, by increasing the filing fee surcharge imposed by that resolution from three dollars (\$3) to eight dollars (\$8) in civil actions (other than small claims actions) where the monetary damages exceed two thousand five hundred dollars (\$2,500) and establish a filing fee surcharge of three dollars (\$3) in civil actions (other than small claims actions) where the monetary damages do not exceed two thousand five hundred dollars (\$2,500). Supervisor Kaufman presented. Referred to Finance Committee.

File 238-97-001.

Charter Amendment:

Referred to Committee

[Charter Amendment, Street Name Changes]

Charter amendment (First Draft) amending the Charter by adding Section 2.118 to provide that no street name shall be changed without prior voter approval. Supervisors Newsom, Kaufman presented. Referred to Rules Committee.

File 239-97-001.

Requests for Hearings:

[Taxi-Cab Detail Regulations]

Hearing to determine how changes to the Taxi-Cab Detail regulations will affect different size companies and how smaller companies be effectively represented in this process. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 015-97-001.

[Tree Removal, Hallide Plaza]

Hearing to consider the tree removal program at Hallide Plaza and its impact on the environment. Supervisors Katz, Bierman presented. Referred to Health, Family and Environment Committee with request it be considered at the April 10, 1997 meeting.

File 200-97-005.01.

[Neighborhood Representation, Boards/Commissions]

Hearing to review neighborhood representation through appointments made by the Mayor and Board of Supervisors to the various boards, commissions and advisory bodies such as Bureau of Building Inspection, Ethics Commission, Assessment Appeals Board and other bodies with direct responsibility and/or advisory capacity and to identify neighborhoods in two ways, by the 22 neighborhoods used by the Director of Elections and by the new districts approved by the voters to serve as the basis for a district election. Supervisor Ammiano presented. Referred to Rules Committee.

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File 241-97-001.

**[Wells Fargo Bank Closure, Haight Street]**

Hearing to consider the closure of the Haight Street branch of Wells Fargo Bank. Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 243-97-001.

**[Pre-application Notice, City-funded Projects]**

Hearing to consider enacting ordinance which requires pre-application notice for certain City-funded projects. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 245-97-001.

**[Minority/Women/Local Business Utilization Ord.]**

Hearing to review the definition of minority for purpose of the Minority/Women/Local Business Utilization Ordinance. Supervisor Katz presented. Referred to Health, Family and Environment Committee with request it be considered at the April 24, 1997 meeting.

File 284-97-002.

**Motion:**

Referred to Board

**[December Winter Storm Emergency]**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms (December 28, 1996). Supervisors Kaufman, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar April 7, 1997.

File 270-97-001.06.

**Introduced by the President at the Request of Departments**

**Ordinances Referred to Committee**

File 093-97-008. [MOU, Local 790, Staff Nurse/Per Diem Nurse] Ordinance implementing an agreement to amend the Staff Nurse and Per Diem Nurse Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 790 which expires June 30, 1997 and agree to certain terms and conditions of employment to be incorporated into any successor agreement to take effect on July 1, 1997. (Department of Human Resources) Referred to Finance Committee.

File 097-97-014. [Hold Harmless Agreements, Emergency Circumstances] Ordinance amending Administrative Code by adding Section 1.25-8 to authorize the City's assumption of defense and indemnification of consultants from claims and lawsuits arising from services performed for and under contract with the City in emergency circumstances. (Building Inspection Commission) Referred to Finance Committee.

File 101-96-056. [Appropriation, Department of Public Health] Ordinance appropriating \$40,000,000, Department of Public Health-SFGH, to participate in the SB 1255 Disproportionate Share Payment Program through the California Medical Assistance Commission during fiscal year 1996-97; funded from miscellaneous Health Department revenues. RO #96268. (Controller) Referred to Finance Committee.

File 101-96-057. [Appropriation, Commission on the Status of Women] Ordinance appropriating \$60,000, Commission on the Status of Women, of the General Reserve Fund for domestic violence for professional services for fiscal year 1996-97. RO #96269. (Controller) Referred to Finance Committee.

File 115-97-006. [West Portal Neighborhood Commercial District] Ordinance amending Planning Code by amending Section 729 to add "Specific Provisions" to the end of the West Portal Neighborhood Commercial District (NCD) control table that would add a condition to the "Business and Professional Service" use limiting to seven (7) the total number of "Financial Institutions" together with stock broker offices in the "Business and Professional Service" category on the ground floor in the West Portal NCD, and by amending Section 729.53 by placing a pound sign (#) under the column for the 1st floor to direct the reader to this condition and adopting findings pursuant to the Planning Code Section 101.1. (Planning Department) (Planning Resolution No. 14334 adopted 3/20/97, recommending the proposed amendment.) (General Rule Exclusion dated 3/4/97.) Referred to Housing and Neighborhood Services Committee.

File 170-97-002. [Equipment Lease Supplement No. 6] Ordinance approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 6 between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to equipment to be used for City purposes, a related Certificate of Approval and a Continuing Disclosure Certificate; approving the issuance of Lease Revenue Bonds by said nonprofit Corporation in an amount not to exceed Twelve Million Seven Hundred and

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Eighty Thousand Dollars (\$12,780,000); providing for reimbursement to the City of certain City expenditures incurred prior to the issuance of Lease Revenue Bonds; and providing for the execution of documents in connection therewith and ratifying previous actions in connection therewith. (Mayor) Referred to Finance Committee.

#### Resolutions Referred to Committee

File 048-97-027. [Settlement of Claim, Sabina Pelta] Resolution approving the settlement of the unlitigated claim of Sabina Pelta by payment of \$6,068.52. (City Attorney) Referred to Rules Committee.

File 048-97-028. [Settlement of Claim, Beatrice Gail Fuller] Resolution approving the settlement of the unlitigated claim of Beatrice Gail Fuller by payment of \$9,000. (City Attorney) Referred to Rules Committee.

File 065-97-005. [Lease, PUC/Sprint Spectrum, L.P.] Resolution authorizing a one (1) year and three hundred and sixty four (364) day (with one three (3) year option and two five (5) year options) lease of PUC land between the City and County of San Francisco and Sprint Spectrum, L.P., in San Francisco County. (Public Utilities Commission) Referred to Finance Committee.

File 092-97-003.02. [Appointment, Health Authority Governing Body] Resolution appointing Mr. Steve Fields to serve on the governing body of the San Francisco Health Authority. (San Francisco Health Plan) Referred to Rules Committee.

File 148-97-002. [Grant State, TDA Funds-Bicycle/Pedestrian Projects] Resolution authorizing the Director of Public Works and the Executive Director of the Department of Parking and Traffic to execute documents necessary to apply for, accept and expend \$618,173 of Transportation Development Act (TDA) Article 3 funds for bicycle and pedestrian projects and waiving indirect costs. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 172-97-009. [Administrative Services Contract] Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Public Health to execute amendments, for the provision of administrative services to the Chinese Community Health Plan effective March 4, 1997. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 172-97-010. [Administrative Services Contract] Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Public Health to execute amendments, for the provision of administrative services to the St. Luke's Physician Hospital Organization effective March 4, 1997. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 192-97-004. [State/Federal Funds, Central Freeway Demolition] Resolution authorizing the Executive Director to accept and expend up to \$365,000 in State and Federal funds as reimbursement for planning, engineering and construction of traffic management measures [Project Number ER-1600(050)] as required for the demolition of the upper deck of the Central Freeway (US 101); providing for ratification of action previously taken. (Department of Parking and Traffic) Referred to Economic Development, Transportation and Technology Committee.

File 222-97-001. [Exempt Rank, H-53 Fire Emergency Medical Chief] Resolution approving the exempt rank and position of Class H-53 Emergency Medical Services Chief of the Fire Department. (Civil Service Commission) Referred to Finance Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yaki, that letter of inquiry be sent to Director of Public Transportation concerning removal of trees on Second Avenue and Irving Street to determine Municipal Railway's plan and rationale for the trees removal, what permit process was required and taken and whether a neighborhood meeting in the Inner Sunset facilitated by Municipal Railway to review the tree removal plan was or will be scheduled.

By Supervisors Ammiano, Bierman, Medina, that letter be sent to Director of Planning requesting a meeting be held with regional representatives of banks (i.e., Wells Fargo, Bank of America) to determine what their plans for expansion or closure are in San Francisco.

By Supervisors Ammiano, Katz, that letter of inquiry be sent to Director of Public Health to determine what proposal is planned to cover the lack of services resulting from the Tom Waddell Clinic's temporary move due to seismic retrofitting of the building.

By Supervisor Bierman, that City Attorney review the gate and leasing fees for taxicab regulations.

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By Supervisor Katz, that letters be sent to Director, Department of Environment and the Honorable Public Utilities Commission to inquire what risks, if any, would occur to our water supply, plant life and animals if a ridge trail was opened at the Crystal Springs Watershed.

By Supervisor Katz, that letters be sent to Director, Department of Environment and the Honorable Public Utilities Commission to inquire what risks, if any, would occur to our water supply, plant life and animals if a new golf course was opened at the Crystal Springs Watershed and the impact it would have on our integrated pest management program.

By Supervisor Katz, that letters be sent to Director, Department of Environment and Director of Public Health advising that hearing has been scheduled April 10, 1997 at the Health, Family and Environment Committee concerning tree removal at Hallide Plaza and would appreciate the Commission's comments on whether there are any significant health risks that would be alleviated if some or all of the trees were removed, whether the amount of bird droppings would reduce if half the trees were removed and what methods, other than removal of the trees, would reduce any health risk that might result from bird droppings. File 200-97-5.1

By Supervisor Ammiano, that letter be sent to the Honorable Human Rights Commission requesting report on the qualifications a Native-American-owned business needs for the purposes of a classification for minority-owned business to contract with the City and County of San Francisco.

By Supervisors Leal, Yaki, that City Attorney review Oakland's legislation to control alcoholic beverage establishments with a view towards creating similar ordinance for San Francisco.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Alfred Auerback (Supervisor Leal)  
Fabio de la Torre (Supervisor Medina)  
Ralph Abascal (By the entire Board)

File 2-97-13

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 3:05 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 27, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, April 7, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 7, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Noted absent at first roll call:

Supervisors Brown, Teng - 2.

Quorum present.

Supervisor Brown excused. (See infra.)

Supervisor Teng excused. (See infra.)

Supervisors Brown and Teng Excused

The Clerk stated Supervisors Teng and Brown requested to be excused from attending today's meeting.

Supervisor Medina, seconded by Supervisor Yaki, moved to excuse Supervisors Brown and Teng from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Newsom, moved that the Journals of Proceedings for Tuesday, February 18 and Monday, February 24, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

CONSENT CALENDAR

Recommendations of Rules Committee

Finally Passed

[Carla Laser v. CCSF et al.]

Ordinance authorizing settlement of litigation of Carla Laser against the City and County by payment of \$180,292.80. (City Attorney)

File 45-97-27, Ordinance No. 122-97

(Superior Court No. 969-877.)

Finally passed.

Monday, April 7, 1997

[Anthony Perez v. CCSF et al.]

Ordinance authorizing settlement of litigation of Anthony Perez against the City and County by payment of \$20,000. (City Attorney)

File 45-97-28, Ordinance No. 123-97

(Superior Court No. 975-445.)

Finally passed.

[Alissa Chriss et al. v. CCSF et al.]

Ordinance authorizing settlement of litigation of Alissa Chriss against the City and County by payment of \$19,584.61. (City Attorney)

File 45-97-29, Ordinance No. 124-97

(Superior Court No. 982-447.)

Finally passed.

[County Treasury Oversight Committee]

Ordinance amending Administrative Code, to establish the Treasury Oversight Committee as an advisory body to the Treasurer. (City Attorney)

File 97-97-10, Ordinance No. 125-97

(Adds Sections 10.79-4 through 10.79-8.)

Finally passed.

[Board of Appeals Procedures]

Ordinance amending Administrative Code, relating to notice by the Board of Appeals to the Assessor of decisions granting or modifying a variance on appeal, to conform to the language of the 1996 Charter. (Board of Appeals)

File 97-97-11, Ordinance No. 126-97

(Amends Section 34.5.)

Finally passed.

[Board of Appeals Procedures]

Ordinance amending Article 1, Part III of the Municipal Code, relating to procedures of the Board of Appeals, to conform to the new Charter; companion measure to File 97-97-11. (Board of Appeals)

File 127-97-3, Ordinance No. 128-97

(Amends Sections 8, 9, 10, 11, 13, 14, 29, 30 and 31.)

Finally passed.

[DTIS Memberships]

Ordinance amending Administrative Code, which regulates officers and employees generally, to update the list of organizations on which the Department of Telecommunications and Information Services (formerly Department of Electricity) is represented, by amending the title to reflect the department's change of name, deleting three (3) organizations from the list of those on which the department is represented, and adding seven (7) organizations to the list. (Department of Telecommunications and Information Services, Division of Telecommunications)

File 97-97-12, Ordinance No. 127-97

(Amends Section 16.6-28.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.



Monday, April 7, 1997

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Public Health License Fees]

Ordinance amending Health Code, relating to license and reinspection fees for the Department of Public Health. (Department of Public Health)

File 118-96-8, Ordinance No. 121-97

(Amends Sections 258, 451 and 609.)

(March 24, 1997 - Consideration continued to April 7, 1997.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Medina, Newsom, Yee - 7.

Noes: Supervisors Leal, Yaki - 2.

Absent: Supervisors Brown, Teng - 2.

Passed for Second Reading as Amended

[Public Health License Fees]

Ordinance amending Part III of the Municipal Code (Revenue and Finance), relating to fees for licenses or permits for inspections by the Department of Public Health; companion measure to File 118-96-8. (Department of Public Health)

File 127-96-10, Ordinance No.

(Amends Sections 35, 120, 248, 249.1, 249.7 and 249.13.)

(March 24, 1997 - Consideration continued to April 7, 1997.)

Supervisor Newsom, seconded by Supervisor Yee, moved an amendment of the whole bearing same title.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Medina, Newsom, Yee - 7.

Noes: Supervisors Leal, Yaki - 2.

Absent: Supervisors Brown, Teng - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Medina, Newsom, Yee - 7.

Noes: Supervisors Leal, Yaki - 2.

Absent: Supervisors Brown, Teng - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Commission on Aging]

Ordinance appropriating \$8,625, Commission on Aging, of Senior Citizen's Program Fund Revenue to salaries and fringe benefits for the addition of one (1) position for fiscal year 1996-97. (Controller)

File 101-96-51, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Monday, April 7, 1997

Absent: Supervisors Brown, Teng - 2.

[Salary Ordinance Amendment, Commission on Aging]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97), Commission on Aging, reflecting the addition of one (1) new limited tenure position (Class 9722 Specialist in Aging II); companion measure to File 101-96-51. (Department of Human Resources)

File 102-96-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

#### Refused Adoption

(See Recessed Meeting of April 9, 1997.)

[BART/Airport Agreement]

Resolution authorizing the Airport Commission to deduct from the annual service payment to the City BARTD charges owing to Airport, subject to certain conditions. (Mayor)

File 27-97-4, Resolution No.

Refused adoption by the following vote:

Ayes: Supervisors Kaufman, Leal, Newsom, Yaki, Yee - 5.

Noes: Supervisors Ammiano, Bierman, Katz, Medina - 4.

Absent: Supervisors Brown, Teng - 2.

#### Adopted

[Lease Amendment, Treasure Island]

Resolution approving and authorizing an amendment to a lease and license with the United States Navy regarding the use of Hangars 2, 3 and 180 and Building III on Naval Station Treasure Island, extending the terms thereof until September 30, 1997. (Mayor)

File 64-97-5, Resolution No. 318-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Sublease Agreement, ATL Productions, Inc.]

Resolution approving and authorizing an agreement by and between the City and County and ATL Productions, Inc. for the sublease of Buildings 3, including Building 111, and Building 180 on Naval Station Treasure Island. (Mayor)

File 65-97-3, Resolution No. 319-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Sublease of Property at Building 606]

Resolution authorizing a sublease of real property at Building 606, Hunters Point Shipyard, San Francisco, for the San Francisco Police Department. (Real Estate Department)

File 64-97-2, Resolution No. 317-97

(Fiscal Impact.)

Adopted by the following vote:

Monday, April 7, 1997

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Schedule of Management Audits for 1997]

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments. (Supervisor Kaufman)

File 165-97-1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Recommendations of Economic Development, Transportation  
and Technology Committee

Passed for Second Reading

[Union Square Signage]

Ordinance amending Planning Code, to prohibit within 200 feet of the park known as Union Square and visible from said park all general advertising signs except for certain replacement signs, general advertising signs that move or rotate or have otherwise physically animated parts, and general advertising signs that are internally lighted or backlighted; and temporary general advertising signs at pedestrian level and less than 50 square feet in size; to delete the special exceptions from the roof sign and height limitations for general advertising signs within 200 feet of said park; adopting findings pursuant to Section 101.1 of the Planning Code. (Supervisor Bierman)

File 115-97-1, Ordinance No.

(Amends Sections 607 and 608.2.)

(March 20, 1997 - Approved by Planning Commission Resolution No. 14335, which contains revisions suggested by Planning Department.)

(April 1, 1997 - Amendment of the whole recommended.)

(General Rule Exclusion from environmental review.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Muni Security Program]

Ordinance authorizing the Purchaser and the Director of Public Transportation to solicit a personal services contract for comprehensive facility security services through a request for proposals, with an option to procure a security equipment in the request for proposals; requiring Proposition J certification prior to the extension of the contract. (Public Transportation Commission)

File 172-97-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki - 8.

Noes: Supervisor Yee - 1.

Absent: Supervisors Brown, Teng - 2.

Adopted

[Contract Award Extension, Muni Railway MR-1167R]

Resolution granting retroactively, extension of time for awarding Municipal Railway Contract No. MR-1167R, Muni Metro Extension - Platform Canopy and Communication System. (Public Transportation Commission)

File 61-97-1, Resolution No. 304-97

Adopted by the following vote:

Monday, April 7, 1997

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Energy Conservation Grant]

Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant of \$25,000, with matching funds of \$12,500, from the American Public Power Association/Demonstration of Energy Efficient Development Program; ratification of action previously taken; placing \$20,000 on reserve. (Public Utilities Commission)

File 94-97-1, Resolution No. 320-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Surface Transportation Program (STP) Grant]

Resolution authorizing the Director of Public Works to retroactively apply for, accept and expend up to \$3,336,825 in Federal Surface Transportation Program funds, with required matching funds of \$378,728, for public works projects; placing \$2,914,553 on reserve. (Department of Public Works)

File 148-97-1, Resolution No. 321-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Retrocession of Jurisdiction, Treasure Island]

Resolution endorsing the State of California's acceptance of retrocession of existing sovereignty and Federal jurisdiction and provision for concurrent jurisdiction over Naval Station Treasure Island upon the satisfaction of certain conditions precedent. (Mayor)

File 199-97-1, Resolution No. 324-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Bond Measures Employment Program]

Resolution expressing the desire of the Board of Supervisors to develop an employment program to further the employment of San Francisco residents, especially underemployed and unemployed residents, in conjunction with the construction projects that would be financed by proposed cultural facilities bonds, zoo bonds and educational facilities bonds, should the voters approve the issuance of these bonds at the June 3, 1997 election. (Supervisors Ammiano, Bierman)

File 219-97-1, Resolution No. 326-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Recommendations of Health, Family and Environment Committee

Passed for Second Reading

[Mental Health Site Approval Procedures]

Ordinance amending Administrative Code, to delete provisions which requires Planning Commission or Health Commission approval for the location or relocation of mental health and substance abuse facilities that are a part of the community mental health and substance abuse plans; specific public posting requirements and appeal to the Board of Supervisors. (Supervisors Bierman, Ammiano)

File 97-97-6, Ordinance No.

(Repeals Section 15.7.)

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Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Adopted

[Grant-Private, Corporation for Supportive Housing]

Resolution authorizing the Department of Public Health, Homeless Programs, to accept and expend retroactively a grant in the amount of \$72,000, from the Corporation for Supportive Housing for primary health care and client centered treatment and case management services for the homeless population in San Francisco; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-96-27, Resolution No. 305-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Adopted as Amended

[Public Health Services Contract]

((Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Health to execute amendments, with Blue Cross of California for the provision of specified public health services to Medi-Cal beneficiaries, retroactive to January 1, 1997.)) (Department of Public Health)

Resolution authorizing the Director of Public Health to execute an agreement, including indemnification and binding arbitration, with Blue Cross of California for the provision of specified public health services to Medi-Cal beneficiaries, retroactive to January 1, 1997.

File 172-97-6, Resolution No. 322-97

Supervisor Leal, seconded by Supervisor Katz, moved to amend title, lines two and three, after "indemnification" by inserting "and" and after "arbitration," delete the phrase "and limited authority for the Director of Health to execute amendments"; amend page two, line 16, after "City" by inserting "and"; amend page two, lines 18 through 20 by deleting "and (3) that the Director of Health will have the authority to execute amendments which increase the amount of reimbursement paid by Blue Cross or which modify the scope of services;"

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Public Health Services Contract]

((Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Health to execute amendments, with the San Francisco Health Authority ("The Authority") and its capitated providers for the provision of specified public health services to Medi-Cal beneficiaries, retroactive to January 1, 1997.)) (Department of Public Health)

Resolution authorizing the Director of Public Health to execute an agreement, including indemnification and binding arbitration, with the San Francisco Health Authority ("The Authority") and its capitated providers for the provision of specified public health services to Medi-Cal beneficiaries, retroactive to January 1, 1997.

File 172-97-7, Resolution No. 323-97

Supervisor Leal, seconded by Supervisor Katz, moved to amend title, lines three and four, after "indemnification" by inserting "and" and after "arbitration," delete the phrase "and limited authority for the Director of Health to execute amendments"; amend page three, line nine, after "City" by

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inserting "and"; amend page two, lines 10 through 13 by deleting "and (3) that the Director of Health will have the authority to execute amendments which increase the amount of reimbursement or modify the scope of services;"

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair for a brief period.

The President then resumed the Chair.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

August Longo, oppose reconsideration of transit stops at Church and 30th Street;

Wayne Sherman, oppose reconsideration of transit stops;

Bruce Oka, oppose resolution concerning Church and 30th Streets;

Male speaker, police harassment;

Leboriae P. Smoore, Alice Griffith Housing;

Reuben Goodman, mental health discrimination issue;

Rodney, oppose Giants Stadium;

Laura Catapano, Muni ramps at Church and 30th Streets;

Constance E. Kuruppu, police brutality;

Dave Monks, supports reconsideration of transit stops at Church and 30th Streets;

Eva Skoufis, transit stop at Church and Street;

John Hilas, transit stops at Church and 30th Streets;

Ario Turrizza, ramps on 30th Street, oppose.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

#### Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Transit Stops at Church and 30th Streets]

Resolution urging the Public Transportation Commission to reconsider its decision of March 25, 1997 regarding location of the key stops at Church and 30th Streets. (Supervisor Yee)

File 7-97-6, Resolution No.

(March 31, 1997 - Introduced in Board for consideration on April 7, 1997.)

At the request of Supervisor Bierman, referred to Economic Development, Transportation and Technology Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

#### For Adoption Without Committee Reference Calendar

Monday, April 7, 1997

Adopted

[Proclaim National Community Theatre Week]

Resolution recognizing the week of April 19-26, 1997 as National Community Theatre Week and applauding and commending the volunteers and supporters of Community Theatre in San Francisco. (Supervisors Kaufman, Bierman, Katz, Leal, Medina)

File 4-97-13, Resolution No. 306-97

(March 31, 1997 - Introduced in Board for consideration on April 7, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal, Medina requested to be added as co-sponsors.

[Commend Chinese Central High School]

Resolution commending the Chinese Central High School. (Supervisors Yee, Bierman, Katz, Leal, Medina)

File 6-97-43, Resolution No. 307-97

(March 31, 1997 - Introduced in Board for consideration on April 7, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal, Medina requested to be added as co-sponsors.

[Commend Jessica Stevens]

Resolution commending Jessica Stevens for her commitment to ending discrimination against lesbians and gay men. (Supervisors Katz, Medina)

File 6-97-44, Resolution No. 308-97

(March 31, 1997 - Introduced in Board for consideration on April 7, 1997.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Commend Natalie Berg]

Resolution recognizing and commending Natalie Berg for her contribution to educational excellence in San Francisco and congratulating her on the occasion of her retirement from the San Francisco Community College District. (Supervisors Kaufman, Bierman, Teng, Katz, Medina)

File 6-97-45, Resolution No. 309-97

(March 31, 1997 - Introduced in Board for consideration on April 7, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Katz, Medina requested to be added as co-sponsors.

[State Legislation, SB 841, Domestic Partners]

Resolution declaring support for Senate Bill 841, authored by Senator Tom Hayden, regarding public contracts and domestic partners. (Supervisors Ammiano, Katz, Kaufman, Bierman, Newsom, Leal)

File 12-97-10, Resolution No. 313-97

(March 31, 1997 - Introduced in Board for consideration on April 7, 1997.)

Adopted.

In connection with the above item, Supervisors Newsom, Leal requested to be added as co-sponsors.

[State Legislation, AB 488, Handgun Safety]

Resolution supporting Assembly Bill 488 (Caldera), the Handgun Safety Standard Act of 1997 prohibiting the manufacture and sale of Saturday Night Specials in the State of California. (Supervisors Leal, Yaki, Kaufman, Yee, Bierman, Newsom, Leal)

File 12-97-11, Resolution No. 314-97

Monday, April 7, 1997

(March 31, 1997 - Introduced in Board for consideration on April 7, 1997.)

Adopted.

In connection with the above item, Supervisors Newsom, Leal requested to be added as co-sponsors.

[State Legislation, AB 1191, Red Light Fine]

Resolution supporting Assembly Bill 1191 (Shelley) to raise the moving violation fine for red light running to \$270. (Supervisors Leal, Katz, Ammiano, Bierman, Kaufman, Newsom)

File 12-97-12, Resolution No. 315-97

(March 31, 1997 - Introduced in Board for consideration on April 7, 1997.)

Adopted.

In connection with the above item, Supervisor Newsom requested to be added as co-sponsor.

[Mission Safe Corridor]

Resolution urging the Mayor to establish a safe corridor program in the Mission District to help ensure that youth have safe access to youth services and other after school activities. (Supervisors Leal, Bierman, Kaufman, Newsom, Katz)

File 215-97-2, Resolution No. 325-97

(March 31, 1997 - Introduced in Board for consideration on April 7, 1997.)

Adopted.

In connection with the above item, Supervisors Newsom, Katz requested to be added as co-sponsors.

[December Winter Storm Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms (December 28, 1996). (Supervisors Kaufman, Teng, Bierman, Katz)

File 270-97-1.6

(March 31, 1997 - Introduced in Board for consideration on April 7, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Final Map]

Motion approving final map of 2999 Pacific Avenue, a Residential Condominium Project, being a subdivision of Lot 19 in Assessor's Block 976, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

File 58-97-5

(March 27, 1997 - Referred to Board for consideration on April 7, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yaki, Yee - 8.

Absent: Supervisors Brown, Medina, Teng - 3.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted



Monday, April 7, 1997

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Yee, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yee - 7.

Absent: Supervisors Brown, Medina, Teng, Yaki - 4.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Yee, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Newsom, Yee - 7.

Absent: Supervisors Brown, Medina, Teng, Yaki - 4.

[Imperative Resolutions]

Adopted

[Commend Chinatown Youth Center]

Resolution commending Chinatown Youth Center for 26 years of service to San Francisco youths and their families.

File 006-97-046, Resolution No. 310-97

Supervisors Yee, Kaufman, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yee - 8.

Absent: Supervisors Brown, Teng, Yaki - 3.

[Commend Bernal Heights Housing Corporation]

Resolution commending the Bernal Heights Housing Corporation and Lutheran Social Services on the grand opening of Hazel Betsy House.

File 006-97-047, Resolution No. 311-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yee - 8.

Absent: Supervisors Brown, Teng, Yaki - 3.

[Commend Walter L. Johnson]

Resolution commending Walter L. Johnson on receiving the Man of the Year award for 1997.

File 006-97-048, Resolution No. 312-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yee - 8.

Absent: Supervisors Brown, Teng, Yaki - 3.

OFF-CALENDAR LEGISLATION

Monday, April 7, 1997

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Memorandum of Understanding]

Ordinance implementing the provisions of a memorandum of understanding between the Probation Officers Association represented by Teamsters Local 856 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. Supervisor Yee presented. Referred to Finance Committee.

File 093-97-033.

[General Assistance Grants]

Ordinance amending Administrative Code Section 20.57 relating to the automatic cost of living adjustment of general assistance grants. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 097-97-020.

[Pre-application Notice, City-funded Projects]

Draft ordinance amending Planning Code by adding Section 312 to require applicants for certain city-funded projects to post a pre-application notice at least fifteen (15) days before filing an application, and making findings of consistency with the priority policies of Planning Code Section 101.1. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 245-97-001.

Referred to Board

[Land Mine Ban]

Resolution urging the United States President and Congress to outlaw the manufacture, stockpiling, sale and use of anti-personnel land mines. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 14, 1997.

File 013-97-010.

[Karl Kortum Way]

Resolution urging the National Park Service to name the closed driveway running around the shore of Aquatic Park Cove, from Jefferson Street on the east to Van Ness Avenue on the west, "Karl Kortum Way". Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 14, 1997.

File 013-97-011.

Referred to Committee

[Watershed Management Alternative, 1995]

Resolution adopting the San Francisco Water Department's revised preferred alternative January 26, 1995 Watershed Management Alternative and authorize the scope of work for the environmental impact report including the following amendment, the Bay Ridge Trail Council's access plan. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 188-97-001.

[Mentoring Program]

Resolution developing and expanding through improved relationships, an effective mentoring system for San Francisco coordinated by the San Francisco Mentoring Coalition. Supervisors Newsom, Ammiano, Brown presented. Referred to Health, Family and Environment Committee.

File 215-97-003.01.

Referred to Board

[National Review]

Resolution condemning the National Review's March 24, 1997 edition for its racially degrading stereotypical front cover. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 14, 1997.

File 246-97-001.

Monday, April 7, 1997

Requests for Hearings:

[Parking Lot Safety]

Hearing to consider safety concerns of patrons of City and County owned parking lots. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 047-97-002.

[Police Department Management Audit]

Hearing to consider the results of the Budget Analyst management audit of the Police Department. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered on or before May 7, 1997.

File 165-97-004.

[Police Department Staffing]

Hearing to address implementation of the Charter provision for full staffing of the Police Department. Supervisor Medina presented. Referred to Finance Committee.

File 207-97-009.

[Mentoring Programs]

Hearing to consider the current state of mentoring programs in the City and County and what the City needs to do to insure that every child or teenager who wants or needs a mentor by the year 2000 will have that opportunity. Supervisors Newsom, Ammiano, Brown presented. Referred to Health, Family and Environment Committee.

File 215-97-003.

[City's Contracting Procedure]

Hearing to consider the City's contracting procedures and determine why it costs more to purchase through the City's contract vendors. Supervisor Katz presented. Referred to Finance Committee.

File 247-97-001.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar April 14, 1997.

File 030-97-001.06.

[Supplemental Appropriation Request]

Motion directing the Clerk to seek a supplemental appropriation and to take other steps necessary to appoint legislative analysts to assist and advise the Board of Supervisors on pending legislation and policy matters. Supervisor Kaufman presented. Referred to Finance Committee.

File 069-97-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-97-005. [Sidewalk Width Regulations, Ocean Avenue] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1540 changing the official sidewalk width on a portion of the north side of Ocean Avenue easterly of Dorado Terrace and Jules Avenue, as shown on the Department of Public Works drawing labeled Q-20-475 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 045-97-031. [Efren and Susan Avila v. CCSF et al.] Ordinance authorizing settlement of litigation of Efren and Susan Avila against the City and County of San Francisco by payment of \$160,000. (Superior Court No. 968-379). (City Attorney) Referred to Rules Committee.

File 045-97-032. [Anna Hofsass v. CCSF] Ordinance authorizing settlement of litigation of Anna Hofsass against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 968-143) (City Attorney) Referred to Rules Committee.

File 045-97-033. [Sean Creed v. CCSF et al.] Ordinance authorizing settlement of litigation of Sean Creed against the City and County of San Francisco by payment of \$15,000. (Superior Court No. 952-759) (City Attorney) Referred to Rules Committee.

File 045-97-034. [Kolb/Nationwide Mutual Fire Insurance v. CCSF] Ordinance authorizing settlement of litigation of William Kolb, Helen J. Kolb, and Nationwide Mutual Fire Insurance Company v. City and County of San Francisco by payment of \$25,000. (Superior Court No. 966-662) (City Attorney) Referred to Rules Committee.

File 045-97-035. [Arthur Fritz v. CCSF et al.] Ordinance authorizing settlement of litigation of Arthur Fritz against the City and County of San Francisco by payment of \$11,500. (Superior Court No. 976-699) (City Attorney) Referred to Rules Committee.

File 045-97-036. [Barbara Lee v. CCSF] Ordinance authorizing settlement of litigation of Barbara Lee against the City and County of San Francisco by payment of \$6,500. (Superior Court No. 975-562) (City Attorney) Referred to Rules Committee.

File 045-97-037. [Harold Morgan v. CCSF et al.] Ordinance authorizing settlement of litigation of Harold Morgan against the City and County of San Francisco by payment of \$40,000 to JoAnn Morgan, trustee and successor in interest to Harold Morgan. (Superior Court No. 962-629) (City Attorney) Referred to Rules Committee.

File 093-97-009. [Amendment to MOU, Deputy Sheriff's Association] Ordinance adopting and implementing Amendment Number 2 to the Memorandum of Understanding between the Deputy Sheriff's Association and the City and County of San Francisco to be effective July 1, 1997 through June 30, 1998. (Also see File 93-95-30.1). (Department of Human Resources) Referred to Finance Committee.

File 093-97-010. [Amendment to MOU, S.F. Interns and Residents] Ordinance implementing the provisions of a Memorandum of Understanding between the San Francisco Interns and Residents Association and the City and County of San Francisco for the period November 30, 1996 through November 30, 1998. (Also see File 93-94-26). (Department of Human Resources) Referred to Finance Committee.

File 093-97-011. [MOU, Building Inspectors 6331/6333] Ordinance implementing the provisions of a Memorandum of Understanding between the Building Inspectors Association and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-012. [MOU, Building Inspectors 6334] Ordinance implementing the provisions of a Memorandum of Understanding between the Building Inspectors Association and the City and County of San Francisco for 6334 Chief Building Inspectors for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-013. [MOU, Local 22] Ordinance implementing the provisions of a Memorandum of Understanding between the Bay Counties District Council of Carpenters, Carpenters, Local 22 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-014. [MOU, Local 580] Ordinance implementing the provisions of a Memorandum of Understanding between the Cement Masons Union, Local 580 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-015. [MOU, Local 6] Ordinance implementing the provisions of a Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-016. [MOU, Local 718] Ordinance implementing the provisions of a Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local 718 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-017. [MOU, Institutional Police Officers Association] Ordinance implementing the provisions of a Memorandum of Understanding between the San Francisco Institutional Police Officers Association and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-018. [MOU, Local 16] Ordinance implementing the provisions of a Memorandum of Understanding between the International Alliance of Theatrical Stage Employees and Moving Motion Picture Machine Operators of the United States and Canada, Local 16 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Public Health) Referred to Finance Committee.

File 093-97-019. [MOU, Local 377] Ordinance implementing the provisions of a Memorandum of Understanding between the Ironworkers-Bridge, Structural Ornamental and Reinforced, Local Union 377 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-020. [MOU, Local 261] Ordinance implementing the provisions of a Memorandum of Understanding between the Laborers International Union of North America, Local 261 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-021. [MOU, Local 1414] Ordinance implementing the provisions of a Memorandum of Understanding between the Peninsula Automotive Mechanics Lodge, No. 1414, International Association of Machinists & Aerospace Workers, AFL-CIO and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-022. [MOU, Local Union No. 3] Ordinance implementing the provisions of a Memorandum of Understanding between the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-023. [MOU, Local 3] Ordinance implementing the provisions of a Memorandum of Understanding between Operating Engineers, Local 3 bargaining for Supervising Probation Officers and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-024. [MOU, Local 4] Ordinance implementing the provisions of a Memorandum of Understanding between the International Brotherhood of Painters and Allied Trades, Local 4 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-025. [MOU, Local Union No. 34] Ordinance implementing the provisions of a Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf & Dock Builders, Local Union No. 34 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-026. [MOU, Local Union No. 38] Ordinance implementing the provisions of a Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local Union No. 38 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-027. [MOU, Local 66] Ordinance implementing the provisions of a Memorandum of Understanding between the Plasterers and Shophands, Local 66 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-028. [MOU, Local 40] Ordinance implementing the provisions of a Memorandum of Understanding between the Roofers, Local 40 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-029. [MOU, Local 104] Ordinance implementing the provisions of a Memorandum of Understanding between the Sheet Metal Workers International Union, Local 104 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-030. [MOU, Local 3/Hodcarriers and Local 36] Ordinance implementing the provisions of a Memorandum of Understanding between the Bricklayers, Stone Masons, Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3/Hodcarriers, Local 36 and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-031. [Amendment to MOU, Municipal Attorney's Association] Ordinance implementing the Amendment Number 1 to the Memorandum of Understanding between the Municipal Attorney's Association and the City and County of San Francisco to be effective July 1, 1997 through June 30, 1998. (Also see File 93-96-32). (Department of Human Resources) Referred to Finance Committee.

File 093-97-032. [Unrepresented Employees] Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1997. (Department of Human Resources) Referred to Finance Committee.

File 097-97-019. [Health Service Plans & Rates of Contributions] Ordinance amending Administrative Code Section 16.157, approving Health Service System Plans and Rates of Contributions as adopted by the Health Service Board. (Department of Human Resources) Referred to Finance Committee.

File 101-96-058. [Appropriation, Department of Human Services] Ordinance appropriating \$1,179,113, Department of Human Services, of Federal and State Revenues for the Greater Avenues to Independence Program (GAIN) for fiscal year 1996-97. (Creation of eighteen (18) positions, payment to non-profit service providers, aid assistance, materials and supplies and equipment); companion measure to File 102-96-15. RO #96273. (Controller) Referred to Finance Committee.

File 101-96-059. [Appropriation, Department of Human Services] Ordinance appropriating \$894,659, Department of Human Services, of Federal and State Revenues, for the implementation of Child Welfare Services/Case Management System and the Teen Parenting Disincentive Program for fiscal year 1996-97. (Creation of thirteen (13) positions and payments for salaries, fringes, overtime, professional services and equipment); companion measure to File 102-96-16. Referred to Finance Committee.

File 101-96-060. [Appropriation, Sheriff] Ordinance appropriating \$330,342, Sheriff, \$292,932 of Federal Grant Revenue for overtime and fringe benefits and \$37,410 from the General Fund Reserve to purchase equipment and serve as a local match for a Citizens Option for Public Safety (COPS) Grant for fiscal year 1996-97. RO #96270. (Controller) Referred to Finance Committee.

File 101-96-061. [Appropriation, Department of Environment] Ordinance appropriating \$96,920, Department of Environment, from General Fund Reserve, for materials and supplies, equipment and services of other departments to cover the cost of office space and other related activities for fiscal year 1996-97. RO #96271. (Controller) Referred to Finance Committee.

File 102-96-015. [Salary Ordinance Amendment, Dept of Human Services] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) Department of Human Services, reflecting the creation of eighteen (18) positions (Class 9912 Public Service Aide (12), 2912 Senior Social Worker (6)); companion measure to File 101-96-58. (Department of Human Resources) Referred to Finance Committee.

File 102-96-016. [Salary Ordinance Amendment, Dept of Human Services] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) Department of Human Services, reflecting the creation of thirteen (13) positions (Class 2916 Social Worker Specialist (1), 2912 Senior Social Worker (1), 2940 Child Welfare Worker (8), 2944 Child Welfare Supervisor (1), 2904 Human Services Technician (1), 1819 MIS Specialist III (1)); companion measure to File 101-96-59. (Department of Human Resources) Referred to Finance Committee.

File 172-97-019. [Amendment, Advertising Shelter Agreement] Ordinance approving Third Amendment to Advertising Transit Shelter Agreement by and between the City and County of San Francisco and Outdoor Systems, Inc. to maintain MUNI Metro extension and F-Line boarding platforms in exchange for advertising on platforms and expand transit shelter program. (Also see Files 172-97-37 and 172-96-40). (Municipal Railway) Referred to Finance Committee.

#### Resolutions Referred to Committee

File 010-97-005. [Encroachment Permit, O'Farrell Street] Resolution granting revocable permission to DPR Construction, Inc. to temporarily close and occupy the north sidewalk and a portion of the street area on O'Farrell Street during construction operations at 1000 Van Ness Avenue/901 Polk Street (Block 715, Lots 2 and 5). (Also see Files 81-96-2, 81-96-2.1, 36-96-7 and 10-96-8). Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 048-97-029. [Settlement of Claim, Alan Tian Lin] Resolution approving the settlement of the unlitigated claim of Alan Tian Lin (a minor) by payment of \$16,500.00. (City Attorney) Referred to Rules Committee.

File 068-97-003. [Tire Recycling Grant Program] Resolution authorizing the Mayor's Office of Community Development to retroactively apply for, and to accept and expend, up to \$25,000 in tire recycling grant funds from the California Waste Management Board. (Mayor's Office of Community Development) Referred to Health, Family and Environment Committee.

File 133-97-003. [Used Oil Recycling Grant] Resolution authorizing the City Administrator to apply for, accept and expend \$234,143.00 in oil recycling grant funding from the California Integrated Waste Management Board; waiving indirect costs. (City Administrator) Referred to Health, Family and Environment Committee.

File 146-97-006. [State Grant, Single System of Care] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, to apply for retroactively a grant of \$382,592, from the State Department of Mental Health, to develop a single system of care for seriously emotionally disturbed children. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 166-97-001. [Sale of Tax-Defaulted Property] Resolution authorizing the Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Tax Collector) Referred to Economic Development, Transportation and Technology Committee.

File 172-97-020. [Agreement, Sheriff - Alert Network, Inc.] Resolution authorizing the San Francisco Sheriff's Department to enter into an agreement with Alert Network, Inc. for an automated telephone notification system, which agreement provides for mutual indemnification from claims or other damages

Monday, April 7, 1997

which arise as a result of performance under said agreement. (Office of the Sheriff) Referred to Housing and Neighborhood Services Committee.

File 173-97-002. [Advertising on Vessels on Port Waters] Resolution amending the Harbor Traffic Code to prohibit outdoor signs and advertising on vessels on Port waters. (Port) Referred to Economic Development, Transportation and Technology Committee.

File 194-97-002. [Tobacco Litigation Contingent Fee] Resolution approving contingency fee agreement in People v. R.J. Reynolds Tobacco Co., et al. (City Attorney) Referred to Rules Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter be sent to his Honor, Mayor Brown, urging him to look into compensation for members of the Police Commission, orientation for new members of the Commission and increased staff to help the commissioners carry out their duties.

By Supervisor Leal, that City Attorney draft ordinance which would limit the purchase and use of highly polluting garden and construction equipment by City employees on designated "Spare the Air Days".

#### Motion to Recess

Supervisor Yaki, seconded by Supervisor Leal, moved that the Board recess to reconvene at 10:00 a.m. Wednesday, April 9, 1997.

Motion to recess adopted by the following vote:

Ayes: Supervisors Katz, Kaufman, Leal, Newsom, Yaki, Yee - 6.

Noes: Supervisors Ammiano, Bierman, Medina - 3.

Absent: Supervisors Brown, Teng - 2.

#### RECESS

The Board, at the hour of 4:22 p.m., recessed to reconvene on Wednesday, April 9, 1997, at 10:00 a.m.

John L. Taylor, Clerk

Wednesday, April 9, 1997

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Wednesday, April 9, 1997 - 10:00 a.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in recessed session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 10:03 a.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Brown - 1.

Quorum present.

Supervisor Brown excused, on official leave of absence.

Consideration Resumed;  
Motion to Rescind Previous Vote;  
Adopted as amended

[BART/Airport Agreement]

Resolution authorizing the Airport Commission to deduct from the annual service payment to the City BARTD charges owing to Airport, subject to certain conditions. (Mayor)

File 27-97-4, Resolution No. 316-97

(April 7, 1997 - Refused adoption.)

Supervisor Leal, seconded by Supervisor Yaki, moved to rescind the previous vote.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Supervisor Leal, seconded by Supervisor Yaki, moved to amend page three, line 5, by replacing the word, "monthly" with "annual".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Kaufman, Leal, Newsom, Teng, Yaki, Yee - 6.

Noes: Supervisors Ammiano, Bierman, Katz, Medina - 4.

Absent: Supervisor Brown - 1.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:



Wednesday, April 9, 1997

Donald Muir (Supervisors Kaufman, Katz, Bierman)  
Morris Phillips (Supervisor Bierman)  
Leo Paoli (Supervisor Leal)  
Arthur Robert Lenhof (Supervisor Ammiano)  
John McBride (Supervisor Ammiano)  
Allen Ginsberg (Supervisors Yaki, Bierman)  
To Yen Yee Tang (Supervisor Yee)  
Frank Fat (Supervisor Yee)

File 2-97-15

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 10:38 a.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 30, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, April 14, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, April 14, 1997 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Leal - 1.

Quorum present.

Supervisor Leal excused. (See infra.)

Supervisor Leal Excused

The Clerk stated Supervisor Leal requested to be excused from attending today's meeting.

Supervisor Teng, seconded by Supervisor Brown, moved to excuse Supervisor Leal from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Katz, moved that the Journal of Proceedings for Monday, March 3, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Presentation of Guests

Supervisor Bierman introduced and welcomed the Honorable Charles Garai and Monwabisi Myoli, Town Councilors from Port Elizabeth, South Africa.

Suspension of the Rules

Supervisor Bierman, seconded by Supervisor Yaki, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Charles Garai and Monwabisi Myoli.

No objection and motion carried.

Mr. Garai and Mr. Myoli briefly spoke of the purpose of their visit to San Francisco as participants in the Public Administration Exchange Program to observe the various city departments and commissions and to gain knowledge on how to cope with homelessness, jobs and general problems of social welfare.

Monday, April 14, 1997

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Commission on Aging]

Ordinance appropriating \$8,625, Commission on Aging, of Senior Citizen's Program Fund Revenue to salaries and fringe benefits for the addition of one (1) position for fiscal year 1996-97. (Controller)

File 101-96-51, Ordinance No. 129-97

Finally passed.

[Salary Ordinance Amendment, Commission on Aging]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97), Commission on Aging, reflecting the addition of one (1) new limited tenure position (Class 9722 Specialist in Aging II); companion measure to File 101-96-51. (Department of Human Resources)

File 102-96-12, Ordinance No. 130-97

Finally passed.

Recommendation of Economic Development, Transportation  
and Technology Committee

Finally Passed

[Union Square Signage]

Ordinance amending Planning Code, to prohibit within 200 feet of the park known as Union Square and visible from said park all general advertising signs except for certain replacement signs, general advertising signs that move or rotate or have otherwise physically animated parts, and general advertising signs that are internally lighted or backlighted; and temporary general advertising signs at pedestrian level and less than 50 square feet in size; to delete the special exceptions from the roof sign and height limitations for general advertising signs within 200 feet of said park; adopting findings pursuant to Section 101.1 of the Planning Code. (Supervisor Bierman)

File 115-97-1, Ordinance No. 134-97

(Amends Sections 607 and 608.2.)

(March 20, 1997 - Approved by Planning Commission Resolution No. 14335, which contains revisions suggested by Planning Commission.)

(April 1, 1997 - Amendment of the Whole recommended.)

(General Rule Exclusion from environmental review.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Department of Parking and Traffic)

File 18-97-2, Resolution No. 337-97

(Stop Signs - Establish

Twenty-Seventh and Sanchez Streets, northeast and southwest corners, stopping 27th Street (makes this an all-way Stop);

Eighth, Irwin and Wisconsin Streets, northeast and southwest corners, stopping Irwin and Wisconsin Streets (makes this a 2-way Stop);

Athens and Cordova Streets, northwest and southeast corners, stopping Cordova Street (makes this an all-way Stop);

Baltimore Way and Pope Street, northeast corner, stopping Baltimore Way (makes this T-intersection a one-way Stop);

Monday, April 14, 1997

Lyon and Bay Streets, southeast corner, stopping Lyon Street (stops the stem of this T-intersection).)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Department of Parking and Traffic)

File 19-97-2, Resolution No. 338-97

(Muni Vehicle Parking Only, 8:30 am - 8:30 pm Daily - Establish

Ellis Street, south side, from 12 feet to 30 feet west of Powell Street (18-foot zone).

One-Hour Parking Time Limit, 9:00 am - 6:00 pm, Monday through Friday, and 7:00 am - 6:00 pm, Saturday - Establish

Folsom Street, north side, between Main and Steuart Streets.

Parking Meter Area No. 3 (1-Hour Parking Time Limit, 9:00 am - 6:00 pm Monday through Saturday) - Establish

South Van Ness Avenue, east side, from 23rd Street to 292 feet southerly (292-foot zone).

Two-Hour Parking Time Limit, 7:00 am - 6:00 pm, Monday through Saturday - Rescind  
Parking Meter Area No. 3 (1-Hour Parking Time Limit, 9:00 am - 6:00 pm, Monday through Saturday) - Establish

South Van Ness Avenue, west side, from 23rd Street to 200 feet southerly (200-foot zone).

No Parking Anytime - Establish

Elm Street, south side, between Van Ness Avenue and Polk Street (parking to be moved to the north side of the Street).

No Parking Anytime - Rescind

Elm Street, north side, between Van Ness Avenue and Polk Street.)

Adopted.

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets. (Department of Parking and Traffic)

File 20-97-2, Resolution No. 339-97

(Bicycle Lanes - Establish

Lyon Street, both curb lanes (northbound and southbound), between Francisco and Lombard Streets;

Oakdale Avenue, both curb lanes (eastbound and westbound), between Phelps and Selby Streets;

Winston Drive, both curb lanes (eastbound and westbound), between Lake Merced Boulevard and Buckingham Way.

No Left Turn - Establish

South Van Ness Avenue, northbound, at Mission Street.

No Left Turn or U-Turn - Establish

Portola Drive, westbound, at Glenview Drive;

The Embarcadero, southbound, at Folsom Street.

No Left Turn, Except Buses - Establish

Mission Street, westbound, at 10th Street.

Tow-Away, No Stopping Anytime - Establish

Everglade Drive, west side, from Sloat Boulevard to 150 feet southerly (150-foot zone).

Yield Sign - Establish

Second Street, northbound, at Harrison Street;  
Howard Street, westbound, at South Van Ness Avenue.)

Adopted.

[Residential Parking Area "S", Duboce Triangle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-97-8, Resolution No. 342-97

(Buchanan Street, between Oak and Page Streets, both sides; Laguna Street, between Haight and Ivy Streets, both sides; Ivy Street, between Buchanan and Laguna Streets, north side; Oak Street, between Buchanan and Octavia Streets, both sides; Page Street, between Gough and Octavia Streets, both sides; Page Street, between Buchanan and Webster Streets, both sides.)

Adopted.

Recommendation of Health, Family and Environment Committee

Finally Passed

[Mental Health Site Approval Procedures]

Ordinance amending Administrative Code, to delete provisions which requires Planning Commission or Health Commission approval for the location or relocation of mental health and substance abuse facilities that are a part of the community mental health and substance abuse plans; specific public posting requirements and appeal to the Board of Supervisors. (Supervisors Bierman, Ammiano)

File 97-97-6, Ordinance No. 132-97

(Repeals Section 15.7.)

Finally passed.

Recommendations of Rules Committee

Passed for Second Reading

[Vernon J. Moran v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Vernon J. Moran against the City and County by payment of \$70,000. (City Attorney)

File 45-97-30, Ordinance No.

(Superior Court No. 963-450.)

Passed for second reading.

Adopted

[Settlement of Claim, Teeana Carpenter]

Resolution approving the settlement of the unlitigated claim of Teeana Carpenter by payment of \$11,000.00. (City Attorney)

File 48-97-24, Resolution No. 343-97

Adopted.

[Settlement of Claim, David Yoon]

Resolution approving the settlement of the unlitigated claim of David Yoon by payment of \$13,500.00. (City Attorney)

File 48-97-25, Resolution No. 344-97

Adopted.



Monday, April 14, 1997

[Settlement of Claim, Sabina Pelta]

Resolution approving the settlement of the unlitigated claim of Sabina Pelta by payment of \$6,068.52. (City Attorney)

File 48-97-27, Resolution No. 345-97

Adopted.

[Settlement of Claim, Beatrice Gail Fuller]

Resolution approving the settlement of the unlitigated claim of Beatrice Gail Fuller by payment of \$9,000. (City Attorney)

File 48-97-28, Resolution No. 346-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendations of Finance Committee

Finally Passed

[Public Health License Fees]

Ordinance amending Part III of the Municipal Code (Revenue and Finance), relating to fees for licenses or permits for inspections by the Department of Public Health. (Department of Public Health)

File 127-96-10, Ordinance No. 131-97

(Amends Sections 35, 120, 248, 249.1, 249.7 and 249.13.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[Prop J Contract, Laundry Services]

Resolution concurring with the Controller's certification that the laundry services can be performed for the Department of Public Health, San Francisco General Hospital by private contractor for a lower cost than similar work performed by City and County employees; retroactive to January 30, 1997. (Department of Public Health)

File 25-97-1, Resolution No. 340-97

(March 31, 1997 - Consideration continued to April 14, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

#### Recommendation of Economic Development, Transportation and Technology Committee

Finally Passed

[Muni Security Program]

Ordinance authorizing the Purchaser and the Director of Public Transportation to solicit a personal services contract for comprehensive facility security services through a request for proposals, with an option to procure a security equipment in the request for proposals; requiring Proposition J certification prior to the extension of the contract. (Public Transportation Commission)

Monday, April 14, 1997

File 172-97-5, Ordinance No. 133-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

NEW BUSINESS

Recommendations of Finance Committee

Consideration Continued

[Paramedic Function Transfer]

Resolution supporting a transfer of paramedic function from the Health Department to the Fire Department. (Supervisors Kaufman, Teng, Brown)

File 30-97-3, Resolution No.

(Fiscal Impact.)

Supervisor Kaufman, seconded by Supervisor Ammiano, moved to continue consideration to April 21, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Teng and Brown requested to be added as co-sponsors.

[Emergency Medical Services]

Ordinance amending Health Code, by repealing language which authorizes the Department of Public Health to provide emergency medical services and by adding a new Section 112 relating to the provision of emergency medical services by the Fire Department with Health Commission approval. (Supervisors Kaufman, Teng, Brown)

File 118-97-1, Ordinance No.

(Repeals Section 112 and adds a new Section 112.)

Supervisor Kaufman, seconded by Supervisor Ammiano, moved to continue consideration to April 21, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Teng and Brown requested to be added as co-sponsors.

[Appropriation, Fire Department]

Ordinance appropriating \$1,653,393, Fire Department, from the General Fund Reserve for salaries, materials and supplies, equipment purchase and services of other departments to fund the cost of transferring the Paramedic Division from Public Health to the Fire Department for fiscal year 1996-97; placing \$508,268 on reserve; companion measure to Files 30-97-3, 118-97-1. (Supervisors Kaufman, Teng, Brown)

File 101-96-50, Ordinance No.

(Fiscal Impact.)

Supervisor Kaufman, seconded by Supervisor Ammiano, moved to continue consideration to April 21, 1997.

Motion to continue adopted by the following vote:

Monday, April 14, 1997

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Teng and Brown requested to be added as co-sponsors.

Passed for Second Reading as Amended

[Appropriation, Police Department]

((Ordinance appropriating \$561,785, Police Department, of Citizens' Option for Public Safety (COPS) Program Revenue to match the COPS-MORE grant and implement a behavioral health benefits program for fiscal year 1996-97, placing \$366,900 on reserve.)) (Controller, Supervisors Teng, Brown)

Ordinance appropriating \$575,000 of Citizens' Option for Public Safety (COPS) program revenue to allow the Police Department to match the COPS-MORE grant and implement a behavioral health benefits program for fiscal year 1996-97; placing \$380,115 on reserve.

File 101-96-52, Ordinance No.

Supervisor Teng, seconded by Supervisor Yaki, moved to amend by restoring the amount to the original appropriation request and correct the amount placed on reserve. New title: "Ordinance appropriating \$575,000 of Citizens' Option for Public Safety (COPS) program revenue to allow the Police Department to match the COPS-MORE grant and implement a behavioral health benefits program for Fiscal Year 1996-97; placing \$380,115 on reserve."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Teng and Brown requested to be added as co-sponsors.

Adopted as Amended

[Grant, "COPS MORE '96" Program]

((Resolution authorizing the Chief of Police to apply for retroactively, accept and expend funds in the amount of One Million Five Hundred Nineteen Thousand Seventy Two Hundred Dollars (\$1,519,072), excluding indirect costs not allowed under this program, for a project known as "COPS-MORE '96" and agreeing to provide a local match in the amount of Five Hundred Six Thousand Three Hundred Fifty Eight Dollars (\$506,358), placing \$1,234,417 on reserve.)) (Mayor, Supervisors Teng, Brown)

Resolution authorizing the Chief of Police of the City and County to apply for retroactively, accept and expend funds in the amount of \$1,558,717, excluding indirect costs not allowed under this program, for a project known as "COPS-MORE '96" and agreeing to provide a local match in the amount of \$519,573; placing \$1,274,062 on reserve.

File 143-97-2, Resolution No. 351-97

Supervisor Yaki, seconded by Supervisor Teng, moved to amend by restoring the amounts to the original request and placing \$1,274,062 on reserve. New title: "Resolution authorizing the Chief of Police of the City and County to apply for retroactively, accept and expend funds in the amount of \$1,558,717, excluding indirect costs not allowed under this program, for a project known as "COPS-MORE '96" and agreeing to provide a local match in the amount of \$519,573; placing \$1,274,062 on reserve."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Monday, April 14, 1997

In connection with the above item, Supervisors Teng and Brown requested to be added as co-sponsors.

Adopted

[Police Behavioral Health Benefits Insurance]

Resolution authorizing the Police Department to obtain behavioral health benefits insurance coverage for its members; companion measure to Files 101-96-52 and File 143-97-2. (Mayor, Supervisors Teng, Brown)

File 207-97-8, Resolution No. 354-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Teng and Brown requested to be added as co-sponsors.

Passed for Second Reading

[Appropriation, Fine Arts Museum]

Ordinance appropriating \$66,485, Fine Arts Museum, from Hotel Tax Revenue and rescinding \$88,741 from services of other departments to appropriate \$155,226 to salaries and fringe benefits to cover budget shortfall for fiscal year 1996-97. (Controller)

File 101-96-53, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Appropriation, PTC-Municipal Railway]

Ordinance appropriating \$358,789, Department of Public Transportation-Municipal Railway, from Fare Revenue for salaries, fringe benefits and professional services for the creation of thirty-seven (37) positions to implement Prop J audit recommendations for fiscal year 1996-97; placing \$92,675 on reserve. (Controller, Supervisor Teng)

File 101-96-54, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Salary Ordinance Amendment, PTC-Municipal Railway]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-1997), reflecting the creation of thirty-seven (37) positions at the Department of Public Transportation-Municipal Railway; companion measure to File 101-96-54. (Department of Human Resources, Supervisor Teng)

File 102-96-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Appropriation, Planning Department]

Ordinance appropriating \$291,902, Planning Department, of Planning Commission Fee Revenue for salaries, fringe benefits, other current expenses, equipment purchase, and services of other departments for the creation of nine (9) positions to expand permitting services for fiscal year 1996-97. (Controller, Supervisor Teng)

Monday, April 14, 1997

File 101-96-55, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Salary Ordinance Amendment, Planning Department]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-1997), reflecting the creation of nine (9) positions in Planning Department; companion measure to File 101-96-55. (Department of Human Resources)

File 102-96-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[Authorization to Indemnify, Seacliff Repairs]

Resolution authorizing the Department of Public Works to enter into agreement of indemnity with Shapiro, Okino, Hom & Associates from claims arising out of its services at Seacliff. (Public Works Department)

File 172-97-8, Resolution No. 352-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

#### Recommendations of Housing and Neighborhood Services

Adopted

[Interim Zoning Controls, Castro/Market Streets]

Resolution imposing Interim Zoning Controls to temporarily prohibit new retail coffee stores in the Castro Street and Upper Market Street Neighborhood Commercial Districts, as set forth in Planning Code Sections 715.1 and 721.1, respectively, for an eighteen (18) month period and making a finding of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Katz, Leal, Ammiano, Kaufman, Teng, Yee, Medina, Bierman, Brown)

File 111-97-2, Resolution No. 350-97

(March 3, 1997 - General Rule Exclusion from Environmental Review.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Noes: Supervisor Newsom - 1.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[FY 1997-1998 Standards and Training, Local Corrections]

Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department to apply for, retroactively, accept and expend \$329,250 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Programs; stipulating adherence to standards for recruitment and training established by the Board of Corrections, waiving any indirect costs. (Sheriff)

File 152-97-2, Resolution No. 327-97

Monday, April 14, 1997

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Recommendations of Rules Committee

Passed for Second Reading

[Repeal-Commission on San Francisco's Environment]

Ordinance amending Administrative Code by repealing Article XVI, which established the Commission on San Francisco's Environment as an advisory body to the Board of Supervisors. (Department of the Environment)

File 97-97-13, Ordinance No.

(Repeals Sections 5.150 through 5.152.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[Appointment]

Resolution appointing member to the Health Authority Governing Body, for new three-year term ending January 15, 2000. (San Francisco Health Plan)

File 92-97-3.2, Resolution No. 347-97

(Mr. Steve Fields, vice himself, Seat No. 50612, nominee of Health Authority Program Committee, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Consideration Continued

[Appointments]

Resolution appointing members to the Child Care Planning and Advisory Council, terms to be determined by lot; making findings waiving residency requirement. (Rules Committee)

File 92-97-8.2, Resolution No.

(Patricia Walker, Seat No. 29603, Private Center Child Care Provider;  
Lisa Quan, Seat No. 29608, Representative of Community Organization;  
Richard Benson, Seat No. 29609, Organized Labor;  
Brenda Lopez, Seat No. 29614, Mayor's Office of Community Development;  
Jim Hopper, Seat No. 29623, Community Care Licensing, Board of Education;  
Marie Salgado, Seat No. 29624, Representative of Organized Educators, Board of Education;  
Kate Danforth, Seat No. 29625, Representative of Educational Training Institutions, Board of Education;  
Norman Yee, Seat No. 29628, Wu Yee Children's Services, Superintendent of Schools.)

Supervisor Ammiano, seconded by Supervisor Yaki, moved to continue consideration to April 21, 1997

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[Appointment]

Resolution appointing member to the Bicycle Advisory Committee, for unexpired portion of three-year term ending December 22, 1998. (Rules Committee)

Monday, April 14, 1997

File 92-97-9, Resolution No. 348-97

(Nick Carr, vice Richard Lesnick, Seat No. 24309, bicyclist-at-large, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Long-Term Care Pilot Task Force]

Resolution appointing members to the Long-Term Care Pilot Project Task Force, for indefinite terms; making findings waiving residency requirement. (Rules Committee)

File 92-97-11.1, Resolution No. 349-97

(Adele Corvin, Seat No. 29901, Long-Term Care Services;  
Jennie Chin Hansen, Seat No. 29903, Long-Term Care Services;  
Kathleen Kelly, Seat No. 29904, Long-Term Care Services;  
Sandy Ouye Mori, Seat No. 29905, Consumers/Community Advocates;  
Norma Satten, Seat No. 29906, Consumers/Community Advocates;  
Roy Berry, M.D., Seat No. 29908, Managed Care;  
Anni Chung, Seat No. 29910, Skilled Nursing/Residential/Care Facilities;  
Ruth Ryan, R.N., Seat No. 29913, Labor;  
Kathryn Borgenicht, M.D., Seat No. 29917, Health Care Professionals.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

From Rules Committee Without Recommendation

Adopted

[Gift Acceptance]

Resolution authorizing the Department of Public Works to accept a gift from JC Decaux San Francisco, Inc., of various street furniture, including installation and maintenance valued in excess of five hundred thousand dollars (\$500,000). (Mayor Willie L. Brown, Jr.)

File 38-97-2, Resolution No. 341-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

COMMITTEE REPORTS

Recommendation of Health, Family and Environment Committee

Adopted

[Labor Issue, Kaiser Permanente]

Resolution urging that Kaiser Permanente provide the highest possible level of preventive, acute and home care; maintain the role of the registered nurses; and keep all facilities open with sufficient qualified staff to meet all the patient care needs of all Kaiser Permanente members. (Supervisors Bierman, Medina)

File 176-97-1, Resolution No. 353-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

Monday, April 14, 1997

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Reuben Goodman, harassment by employees at homeless centers;  
Frances Zander, landlord/tenant problem;  
Constance Kuruppv, police brutality;  
Gilbert Cristal, oppose SB 1301.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

The President resumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Land Mine Ban]

Resolution urging the United States President and Congress to outlaw the manufacture, stockpiling, sale and use of anti-personnel land mines. (Supervisors Bierman, Teng, Yaki, Brown, Katz, Medina)

File 13-97-10, Resolution No. 335-97

(April 7, 1997 - Introduced in Board for consideration on April 14, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Brown, Katz, Medina requested to be added as co-sponsors.

[Karl Kortum Way]

Resolution urging the National Park Service to name the closed driveway running around the shore of Aquatic Park Cove, from Jefferson Street on the east to Van Ness Avenue on the west, "Karl Kortum Way". (Supervisors Bierman, Teng, Yaki, Brown, Katz, Medina)

File 13-97-11, Resolution No. 336-97

(April 7, 1997 - Introduced in Board for consideration on April 14, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Brown, Katz, Medina requested to be added as co-sponsors.

[National Review]

Resolution condemning the National Review's March 24, 1997 edition for its racially degrading stereotypical front cover. (Supervisors Yee, Teng, Yaki, Brown, Katz, Medina, Bierman)

File 246-97-1, Resolution No. 355-97

(April 7, 1997 - Introduced in Board for consideration on April 14, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Brown, Katz, Medina, Bierman requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.6.



Monday, April 14, 1997

(April 7, 1997 - Introduced in Board for consideration on April 14, 1997.)

Adopted.

[Proclamation]

Resolution declaring the week of April 20-26, 1997 as "National Infant Immunization Week" and declaring May, 1997 as "Toddler Immunization Month". (Supervisors Leal, Yaki, Brown, Katz, Newsom, Bierman)

File 4-97-14, Resolution No. 328-97

(April 9, 1997 - Referred to Board for consideration on April 14, 1997.)

Adopted.

In connection with the above item, Supervisors Yaki, Brown, Katz, Newsom, Bierman requested to be added as co-sponsors.

[Final Map]

Motion approving final map of 49 Zoe Street, a Live/Work Condominium Project, being a merger and resubdivision of Lots 88-91 in Assessor's Block 3776, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-6

(April 9, 1997 - Referred to Board for consideration on April 14, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Yee, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Yee, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Monday, April 14, 1997

[Imperative Resolutions]

Adopted

[Proclamation]

Resolution proclaiming April 14, 1997 as "San Francisco-Port Elizabeth Friendship Day".

File 004-97-015, Resolution No. 329-97

Supervisors Bierman, Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Commendation]

Resolution commending Chinese American Democratic Club Community.

File 006-97-049, Resolution No. 330-97

Supervisor Yee presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Commendation]

Resolution commending the San Francisco-Osaka Sister City Association.

File 006-97-050, Resolution No. 331-97

Supervisor Yee presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Commendation]

Resolution commending the Cherry Blossom Festival and the goodwill it brings from the Japanese Community.

File 006-97-051, Resolution No. 332-97

Supervisor Yee presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Commendation]

Resolution commending Nikkei Lions Club for its continued involvement in the Japanese Community in San Francisco.

File 006-97-052, Resolution No. 333-97

Supervisor Yee presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Monday, April 14, 1997

[Commendation]

Resolution commending Officer Rolando J. Canales as one of San Francisco's "Favorite Cop".

File 006-97-053, Resolution No. 333-97

Supervisor Yee presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Commendation]

Resolution commending Officer Daniel Cunningham as one of San Francisco's "Favorite Cop".

File 006-97-054, Resolution No. 334-97

Supervisor Yee presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Nondiscrimination, Contract, Property Contract]

Ordinance amending Administrative Code Chapters 12B and 12C to update and simplify provisions; to conform language to historical interpretations; to prohibit discrimination by city contractors based on the perception of a person's status within a category against which discrimination is prohibited and based on fact or perception of a person's domestic partner status or marital status; to apply Chapter 12B and 12C's nondiscrimination requirements to property contracts, as defined, including property contracts granting a property interest to the City; to define "contracts" and "property contracts" that are subject to Chapters 12B and 12C; to define "amendment" of a contract to include substantive amendments and to exclude construction change orders; to clarify the application of Section 12B.2(B) to a prime contractor's or subcontractor's operations throughout the United States; to require city contractors to treat requests for domestic partner or spousal benefits as confidential; and to provide certain exceptions to Chapters 12B and 12C in Sections 12B.5-1 and 12C.5-1. Supervisors Katz, Ammiano, Leal presented. Referred to Health, Family and Environment Committee with request it be considered at a special meeting on May 15, 1997.

File 097-97-021.

Referred to Board

[Extend Planning Commission Review Period]

Motion extending the prescribed time within which the Planning Commission may review and render its decision on a proposed ordinance to amend the Planning Code with respect to the Union Street Design Guidelines. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 115-96-013.01.

[Proclaim Hoover Middle School Day]

Resolution proclaim April 25, 1997 as "Hoover Middle School Day". Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 004-97-016.

[Proclaim Clean Your Files Day]

Resolution proclaiming April 22, 1997 as "Clean Your Files Day". Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 004-97-017.

Monday, April 14, 1997

[Take Our Daughter To Work Day]

Resolution commending the "Take Our Daughters To Work Day" and urging all City Departments to encourage their staff to bring their daughters to work, to set up educational seminars for young women with departmental staff and to provide meaningful tasks for young women who come to work on April 24, 1997. Supervisors Teng, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 006-97-055.

[Welcome Takafumi Isomura]

Resolution welcoming the Mayor of Osaka City, Mr. Takafumi Isomura to San Francisco. Supervisors Teng, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 006-97-056.

[Commendation]

Resolution commending Reverend Edward A. and Mary Stewart for 25 years of dedicated service to San Francisco. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 006-97-057.

[Commendation]

Resolution commending Asian Law Caucus for 25 years of defending and pursuing civil rights for the Asian Pacific Community. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 006-97-058.

[Commendation]

Resolution commending Mayor Willie L. Brown, Jr. for leading a Friendship and Trade Mission to China on behalf of the City and County of San Francisco. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 006-97-059.

[Commendation]

Resolution recognizing the importance of the Sexual Assault Awareness Month Rally on April 27, 1997 and commending the San Francisco Commission on the Status of Women and San Francisco Women Against Rape for their sponsorship of this rally and for their programs and efforts to combat sexual assault. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 006-97-060.

[Commendation]

Resolution commending Dr. Henry L. Augustine, Jr. and declaring April 14, 1997 "Dr. Henry L. Augustine, Jr." Day in San Francisco. Supervisors Brown, Katz, presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 006-97-061.

[Mentally Disabled Persons]

Resolution opposing the transfer of severely mentally disabled people from state institutions into community homes. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 012-97-013.

[National Mall]

Resolution supporting the depiction of Franklin D. Roosevelt at the National Mall in Washington D.C. as a person with a disability. Supervisors Medina, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 013-97-012.

Referred to Committee

Monday, April 14, 1997

**[Public Health Contract]**

Resolution authorizing the Director of Health to enter into a contract with Public Health Foundation Enterprises, Inc. to engage in a preventive HIV vaccine efficacy trial. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 030-97-006.

Referred to Board

**[Exchange Program]**

Resolution supporting an exchange program between high school students from San Francisco and China. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 211-97-001.

**[Children's Integrated Services]**

Resolution supporting the concept of a systematic integrated service delivery model for children and youth services. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 215-97-001.01.

**[Dry Cleaners]**

Resolution urging the Bay Area Air Quality Management District to work with dry cleaners effected by Rule 1116 and extend the time period for compliance with the regulation. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 229-97-001.

**Requests for Hearings:**

**[Paratransit Service]**

Hearing to consider the large number of Americans with Disabilities Act paratransit service denials to frail elders in San Francisco. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 007-97-007.

**[Civic Center Area]**

Hearing to review design plans for the Civic Center area. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 248-97-001.

**[Non-Profit Organizations Funding]**

Hearing to consider the status of funding from City departments to non-profit organizations serving the African American Community. Supervisor Brown presented. Referred to Health, Family and Environment Committee.

File 249-97-001.

**Motions:**

Referred to Board

**[Negotiations Time Extension, Nurses]**

Motion extending time for negotiations pursuant to Charter Section 11.100 for Supervising Nurses Bargaining Unit 11B and for Staff Nurses and Per Diem Nurses. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 103-97-002.

**[December Winter Storm Emergency]**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms. Supervisors Kaufman, Teng, Bierman, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar April 21, 1997.

File 270-97-001.07.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 046-97-006. [CCSF v. Petrocchi Brothers, et al.] Ordinance authorizing settlement of City and County of San Francisco v. Petrocchi Brothers, et al., whereby defendants pay to the City \$119,350, transfer title to structure at 301 Spruce Avenue, and enter into a Cooperation Agreement with the City; companion measure to File 172-97-21. (Superior Court No. 969-068) (City Attorney) Referred to Rules Committee.

File 093-97-034. [Arbitrator's Award, IFTE Local 21] Ordinance adopting and implementing provisions of an Arbitrator's Award granting acting pay to twenty five (25) employees effective November 10, 1994 pursuant to a grievance filed pursuant to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco. (Department of Human Resources) Referred to Finance Committee.

File 101-96-060. [Appropriation, Sheriff] Substitute ordinance appropriating \$330,342, Sheriff, of State and Federal Grant Revenue, for overtime, fringe benefits and equipment purchase for fiscal year 1996-97 (\$37,410 for equipment purchase serves as a local match for Citizen's Option for Public Safety (COPS) grant). RO #96270. (Controller) Referred to Finance Committee.

File 101-96-062. [Appropriation, Department of Elections] Ordinance appropriating \$927,045, Department of Elections, (\$290,970 from the General Fund Reserve and \$636,066 from SB90 and other General Government Revenues) for salaries, fringe benefits and other current expenses for fiscal year 1996-97; providing for ratification of action previously taken. RO #96272. (Controller) Referred to Finance Committee.

File 101-96-063. [Appropriation, Ethics Commission] Ordinance appropriating \$17,190, Ethics Commission, from the General Fund Reserve for salaries, fringe benefits and other current expenses (expansion of Proposition 208), for fiscal year 1996-97. RO #96283. (Controller) Referred to Finance Committee.

File 101-96-064. [Appropriation, Public Library] Ordinance appropriating \$1,983,246, Public Library, of 1988 Public Library Improvement Bond interest earnings to capital improvement projects (construction contingency), for fiscal year 1996-97. RO #96255. (Controller) Referred to Finance Committee.

File 101-96-065. [Appropriation, DPH-Mental Health] Ordinance appropriating \$1,670,000, DPH-Mental Health, to fund various substance abuse services for fiscal year 1996-97 (\$670,000 from the General Fund Reserve, \$500,000 from Short-Doyle Medi-Cal and \$500,000 from a SAMHSA Block Grant). RO #96281. (Controller) Referred to Finance Committee.

File 101-96-066. [Appropriation, Dept. of Public Health] Ordinance appropriating \$16,063,216, Department of Public Health, of patient revenue, Short-Doyle Medi-Cal realignment and tobacco tax revenues to salaries, fringe benefits, professional services, pharmaceuticals and services of other departments at San Francisco General Hospital and appropriating \$1,783,363 of realignment and Short-Doyle Medi-Cal revenue to medical services contracts at Community Mental Health, to adjust the budget in fiscal year 1996-97 based on current revenue and expenditure projections. RO #96285. (Controller) Referred to Finance Committee.

Resolutions Referred to Committee

File 027-97-005. [Termination of Lease, Shell Oil Company] Resolution approving early termination of leases between Shell Oil Company and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) Referred to Finance Committee.

File 033-97-002. [Appointment, S.F. Redevelopment Agency] Resolution confirming Mayor's appointment of Mark Dunlap to serve as a member of San Francisco Redevelopment Agency. (Mayor) Referred to Rules Committee.

File 065-97-006. [Lease, Sprint Spectrum, L.P.] Resolution authorizing a one (1) year and three hundred sixty four (364) days with one eight (8) year and one (1) day option lease of Public Utilities Commission land between the City and County of San Francisco and Sprint Spectrum, L.P., in Alameda County. (Public Utilities Commission) Referred to Finance Committee.

File 096-97-002. [Sale of Surplus Property] Resolution authorizing the sale of 5.216 acres of land of Water Department surplus real property located in Sunol, Alameda County, to the State of California for \$64,500. (Real Estate Department) Referred to Finance Committee.

File 146-97-007. [Private Grant, Primary Health Care Services] Resolution authorizing the Department of Public Health, Homeless Programs, to accept and expend a grant in the amount of \$63,685 from Lutheran Social Services of America to provide preventative and primary health care services to multiple-diagnosed persons with HIV/AIDS of San Francisco who previously have not been able to access current systems of housing and supportive services due to their mental illness and/or substance abuse diagnosis; providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

Monday, April 14, 1997

File 146-97-008. [Private Grant, Substance Abuse Prevention Project] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, Child, Adolescent and Family Section, as sub-grantee, in collaboration with the San Francisco Economic Opportunity Council as prime grantee, to apply for retroactively and accept and expend a grant of \$45,000 from the San Francisco Economic Opportunity Council to provide a substance abuse prevention and intervention project to high risk preschoolers and their families, waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 146-97-009. [Private Grant, Long-Term Care Services] Resolution authorizing the Department of Public Health to apply for retroactively and accept and expend a grant in the amount of \$109,538 from the California Endowment's Community Health Investment Program, to design a comprehensive long-term care service delivery system; providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 151-97-002. [Northeastern Waterfront Survey Area] Resolution amending Resolutions No. 141-77, 607-91, 125-95 and 414-96 designating and describing the Northeastern Waterfront Survey Area by adding real property to said area. (S.F. Redevelopment Agency) Referred to Economic Development, Transportation and Technology Committee.

File 172-97-021. [Cooperative Agreement- Petrocchi Brothers] Resolution approving Cooperation Agreement with Petrocchi Brothers relating to leasing of property at 998 and 988 El Camino Real in South San Francisco; companion measure to File 46-97-6. (City Attorney) Referred to Rules Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yaki, that City Attorney draft ordinance which would require all taxi medallion holders to participate in the paratransit program as a condition of holding a medallion; that the paratransit script be at no cost to their employees or independent contractors; and all requirements of the paratransit program be met no later than July 1, 1998.

By Supervisor Ammiano, that letter be sent to Virginia Gee commending her for her service to the San Francisco Ethics Commission.

By Supervisor Ammiano, that letter of inquiry be sent to his Honor, the Mayor, and other City officials concerning a driving simulation training program and to determine the feasibility of a site in the Bayview Hunters Point area for this program.

By Supervisor Ammiano, that letter be sent to General Manager, Recreation and Park Department, to inquire whether gay and lesbian sensitivity training is provided for their youth employment division (i.e. day camps, summer camps).

By Supervisor Brown, that letter be sent to all City departments who provide funding to non-profit organizations, requesting information on the status of funding to organizations serving the African-American Community. File 249-97-1.

By Supervisor Katz, that City Attorney prepare resolution concerning installation of Stop signs at the intersection of 17th and Eureka Streets for a 12 month trial period.

By Supervisor Katz, that City Attorney prepare ordinance which would mandate Board of Supervisors approval for the removal of trees on public property.

By Supervisor Katz, that Budget Analyst be requested to report on the status of the burial space for San Franciscans as we approach the millennium and that he consult with the San Francisco/San Mateo County Task Force.

By Supervisor Kaufman, that letter be sent to the 911 dispatchers congratulating them on their hard work and dedication to the health and safety of the citizens of San Francisco and wishing them happy 911 Dispatchers Week, April 13-20, 1997.

By Supervisor Ammiano, that City Attorney include the health and human services funded by City and County contracts to the City contractors code of conduct and labor/management card check legislation. File 240-97-1.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Lee Nichols (Supervisor Medina)

File 2-97-15

Unanimously adopted by a rising vote.

Monday, April 14, 1997

ADJOURNMENT

There being no further business, the Board at the hour of 3:38 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 23, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, April 21, 1997

# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Monday, April 21, 1997 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Katz - 1.

Quorum present.

Supervisor Katz excused. (See infra.)

Supervisor Katz Excused

The Clerk stated Supervisor Katz is ill and requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Leal, moved to excuse Supervisor Katz from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Introduction of Guest  
Suspension of the Rules  
Presentation Made

Supervisor Leal introduced and welcomed Mr. George Kikuchi, U.S. Postmaster.

There being no objection, on motion by Supervisor Leal, seconded by Supervisor Yaki, the rules were suspended in order to grant privilege of the floor to Mr. Kikuchi and to present a Certificate of Honor to the Postal Service for their involvement in Earth Day, Clean your Files Day.

Mr. Kikuchi spoke briefly of the projects planned to help reduce paper trash by the year 2000.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kaufman requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Passed for Second Reading as Amended

[Appropriation, Planning Department]  
Ordinance appropriating ((\$291,902)) \$291,920, Planning Department, of Planning Commission Fee Revenue for salaries, fringe benefits, other current expenses, equipment purchase, and services of other departments for the creation of nine (9) positions to expand permitting services for fiscal year 1996-97. (Supervisor Teng)

File 101-96-55, Ordinance No.

Monday, April 21, 1997

Supervisor Leal, seconded by Supervisor Brown, moved to amend title by correcting typographical error which transposed the amount of the supplemental appropriation by replacing "\$291,902" with "\$291,920".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

The Board resumed its consideration of the following items on the Consent Calendar.

Recommendations of Finance Committee

Finally Passed

[Appropriation, Fine Arts Museums]

Ordinance appropriating \$66,485, Fine Arts Museums, from Hotel Tax Revenue and rescinding \$88,741 from services of other departments to appropriate \$155,226 to salaries and fringe benefits to cover budget shortfall for fiscal year 1996-97. (Controller)

File 101-96-53, Ordinance No. 138-97

Finally passed.

[Appropriation, PTC-Municipal Railway]

Ordinance appropriating \$358,789, Department of Public Transportation-Municipal Railway, from Fare Revenue for salaries, fringe benefits and professional services for the creation of thirty-seven (37) positions to implement Prop J audit recommendations for fiscal year 1996-97; placing \$92,675 on reserve. (Supervisor Teng)

File 101-96-54, Ordinance No. 139-97

Finally passed.

[Salary Ordinance Amendment, PTC-Municipal Railway]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-1997), reflecting the creation of thirty-seven (37) positions at the Department of Public Transportation-Municipal Railway; companion measure to File 101-96-54. (Supervisor Teng)

File 102-96-14, Ordinance No. 144-97

Finally passed.

[Salary Ordinance Amendment, Planning Department]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-1997), reflecting the creation of nine (9) positions in Planning Department; companion measure to File 101-96-55. (Department of Human Resources)

File 102-96-13, Ordinance No. 143-97

Finally passed.

Passed for Second Reading

[Appropriation, Department of Public Health]

Ordinance appropriating \$40,000,000, Department of Public Health-SFGH, to participate in the SB 1255 Disproportionate Share Payment Program through the California Medical Assistance Commission during fiscal year 1996-97; funded from miscellaneous Health Department revenues. (Controller)

File 101-96-56, Ordinance No.

Passed for second reading.

Monday, April 21, 1997

[Appropriation, Commission on the Status of Women]

Ordinance appropriating \$60,000, Commission on the Status of Women, of the General Reserve Fund for domestic violence for professional services for fiscal year 1996-97. (Controller)

File 101-96-57, Ordinance No.

Passed for second reading.

Recommendations of Rules Committee

Finally Passed

[Vernon J. Moran v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Vernon J. Moran against the City and County by payment of \$70,000. (City Attorney)

File 45-97-30, Ordinance No. 145-97

(Superior Court No. 963-450.)

Finally passed.

[Repeal-Commission on San Francisco's Environment]

Ordinance amending Administrative Code by repealing Article XVI, which established the Commission on San Francisco's Environment as an advisory body to the Board of Supervisors. (Department of the Environment)

File 97-97-13, Ordinance No. 170-97

(Repeals Sections 5.150 through 5.152.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Adopted

[Paramedic Function Transfer]

Resolution supporting a transfer of paramedic function from the Health Department to the Fire Department. (Supervisors Kaufman, Teng, Brown, Leal, Ammiano)

File 30-97-3, Resolution No. 369-97

(Fiscal Impact.)

(April 14, 1997 - Consideration continued to April 21, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisors Leal, Ammiano requested to be added as co-sponsors.

Monday, April 21, 1997

Passed for Second Reading

[Emergency Medical Services]

Ordinance amending Health Code, by repealing section which authorizes the Department of Public Health to provide emergency medical services and by adding a new Section 112 relating to the provision of emergency medical services by the Fire Department with Health Commission approval. (Supervisors Kaufman, Teng, Brown, Leal, Ammiano)

File 118-97-1, Ordinance No.

(Repeals Section 112 and adds new Section 112.)

(April 14, 1997 - Consideration continued to April 21, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisors Leal, Ammiano requested to be added as co-sponsors.

[Appropriation, Fire Department]

Ordinance appropriating \$1,653,393, Fire Department, from the General Fund Reserve for salaries, materials and supplies, equipment purchase and services of other departments to fund the cost of transferring the Paramedic Division from Public Health to the Fire Department for fiscal year 1996-97; placing \$508,268 on reserve; companion measure to Files 30-97-3, 118-97-1. (Supervisors Kaufman, Teng, Brown, Leal, Ammiano)

File 101-96-50, Ordinance No.

(Fiscal Impact.)

(April 14, 1997 - Consideration continued to April 21, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisors Leal, Ammiano requested to be added as co-sponsors.

The President resumed the Chair.

Finally Passed

[Appropriation, Police Department]

Ordinance appropriating \$575,785, Police Department, of Citizens' Option for Public Safety (COPS) Program Revenue to match the COPS-MORE grant and implement a behavioral health benefits program for fiscal year 1996-97, placing \$380,115 on reserve. (Supervisors Teng, Brown)

File 101-96-52, Ordinance No. 137-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Recommendations of Rules Committee

Adopted as Divided

[Appointments]

Resolution appointing members to the Child Care Planning and Advisory Council, terms to be determined by lot; making findings waiving residency requirement. (Rules Committee)

File 92-97-8.2, Resolution No. 372-97

Monday, April 21, 1997

((Patricia Walker, Seat No. 29603, Private Center Child Care Provider;))  
Lisa Quan, Seat No. 29608, Representative of Community Organization;  
Richard Benson, Seat No. 29609, Organized Labor;  
Brenda Lopez, Seat No. 29614, Mayor's Office of Community Development;  
Jim Hopper, Seat No. 29623, Community Care Licensing, Board of Education;  
Marie Salgado, Seat No. 29624, Representative of Organized Educators, Board of Education;  
Kate Danforth, Seat No. 29625, Representative of Educational Training Institutions, Board of Education;  
Norman Yee, Seat No. 29628, Wu Yee Children's Services, Superintendent of Schools.)

(April 14, 1997 - Consideration continued to April 21, 1997.)

On behalf of Supervisor Katz, Supervisor Ammiano requested the question be divided concerning Patricia Walker, Seat No. 29603, Private Center Child Care Provider, so the matter could be considered separately.

The roll was then called on the main resolution and it was adopted as divided, by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Rereferred to Committee as Divided

[Appointment]

Resolution appointing member to the Child Care Planning and Advisory Council.

File 92-97-8.3, Resolution No.

Supervisor Ammiano, seconded by Supervisor Leal, moved to rerefer, as divided, to Rules Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

#### NEW BUSINESS

#### Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Trial Courts]

Ordinance appropriating \$538,830, Trial Courts, from the Court's Special Revenue Fund, for computer maintenance contracts to complete four automation projects in fiscal year 1996-97, placing \$102,000 on reserve. (Controller)

File 101-96-21.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 790, Staff Nurse/Per Diem Nurse]

Ordinance implementing an agreement to amend the Staff Nurse and Per Diem Nurse Memorandum of Understanding between the City and County and the Service Employees International Union, Local 790 which expires June 30, 1997 and agree to certain terms and conditions of employment to be incorporated into any successor agreement to take effect on July 1, 1997. (Department of Human Resources)

File 93-97-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Amendment to MOU, Deputy Sheriff's Association]

Ordinance adopting and implementing Amendment Number 2 to the Memorandum of Understanding between the Deputy Sheriff's Association and the City and County to be effective July 1, 1997 through June 30, 1998. (Department of Human Resources)

File 93-97-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Amendment to MOU, S.F. Interns and Residents]

Ordinance implementing the provisions of a Memorandum of Understanding between the San Francisco Interns and Residents Association and the City and County for the period December 1, 1996 through November 30, 1998. (Department of Human Resources)

File 93-97-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 22]

Ordinance implementing the provisions of a Memorandum of Understanding between the Bay Counties District Council of Carpenters, Carpenters, Local 22 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 580]

Ordinance implementing the provisions of a Memorandum of Understanding between the Cement Masons Union, Local 580 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 6]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-15, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 718]

Ordinance implementing the provisions of a Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local 718 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-16, Ordinance No.



Monday, April 21, 1997

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Institutional Police Officers Association]

Ordinance implementing the provisions of a Memorandum of Understanding between the San Francisco Institutional Police Officers Association and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-17, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 16]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Alliance of Theatrical Stage Employees and Moving Motion Picture Machine Operators of the United States and Canada, Local 16 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Public Health)

File 93-97-18, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 377]

Ordinance implementing the provisions of a Memorandum of Understanding between the Ironworkers-Bridge, Structural Ornamental and Reinforced, Local Union 377 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-19, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 261]

Ordinance implementing the provisions of a Memorandum of Understanding between the Laborers International Union of North America, Local 261 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-20, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 1414]

Ordinance implementing the provisions of a Memorandum of Understanding between the Peninsula Automotive Mechanics Lodge, No. 1414, International Association of Machinists & Aerospace Workers, AFL-CIO and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-21, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

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[MOU, Local Union No. 3]

Ordinance implementing the provisions of a Memorandum of Understanding between the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-22, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 3]

Ordinance implementing the provisions of a Memorandum of Understanding between Operating Engineers, Local 3 bargaining for Supervising Probation Officers and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-23, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 4]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Brotherhood of Painters and Allied Trades, Local 4 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-24, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local Union No. 34]

Ordinance implementing the provisions of a Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf & Dock Builders, Local Union No. 34 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-25, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local Union No. 38]

Ordinance implementing the provisions of a Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local Union No. 38 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-26, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 66]

Ordinance implementing the provisions of a Memorandum of Understanding between the Plasterers and Shophands, Local 66 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-27, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 40]

Ordinance implementing the provisions of a Memorandum of Understanding between the Roofers, Local 40 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-28, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 104]

Ordinance implementing the provisions of a Memorandum of Understanding between the Sheet Metal Workers International Union, Local 104 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-29, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MOU, Local 3/Hodcarriers and Local 36]

Ordinance implementing the provisions of a Memorandum of Understanding between the Bricklayers, Stone Masons, Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3/Hodcarriers, Local 36 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-30, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Amendment to MOU, Municipal Attorney's Association]

Ordinance implementing the Amendment Number 1 to the Memorandum of Understanding between the Municipal Attorney's Association and the City and County to be effective July 1, 1997 through June 30, 1998. (Department of Human Resources)

File 93-97-31, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County whose compensations are subject to the provisions of Section A8.409 of the Charter, in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1997. (Department of Human Resources)

File 93-97-32, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

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[MOU, Probation Officers]

Ordinance implementing the provisions of a Memorandum of Understanding between the Probation Officers Association represented by Teamsters Local 865 and the City and County for the period July 1, 1997 through June 30, 2001. (Supervisor Yee)

File 93-97-33, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Recommendations of Health, Family and Environment Committee

Adopted

[Bay Area Ridge Trail]

Resolution requesting the Public Utilities Commission to adopt a plan for multi-use access to the route based on the Bay Area Ridge Trail Council's access plan, in conjunction with the National Park Service (NPS) and San Mateo County Parks and Recreation, after appropriate environmental review; and requesting status report from Public Utilities Commission within 30 days of development of plan. (Supervisors Ammiano, Newsom, Katz, Yee, Bierman, Leal, Teng)

File 191-97-1, Resolution No. 373-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisors Leal, Teng requested to be added as co-sponsors.

[Medical Marijuana]

Resolution authorizing the defense in Federal criminal and administrative proceedings of Department of Public Health physicians who recommend medical marijuana to their patients if certain conditions are met. (Supervisors Bierman, Leal, Katz, Ammiano, Teng, Brown, Medina)

File 194-97-1, Resolution No. 375-97

(Fiscal Impact.)

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisors Ammiano, Teng, Brown, Medina requested to be added as co-sponsors.

Recommendations of Economic Development, Transportation  
and Technology Committee

Passed for Second Reading as Amended

[Sign Ordinance]

Ordinance amending Planning Code to allow within the North Beach Neighborhood Commercial District a business that is relocating to a new location within 300 feet of its existing location to also relocate one existing business sign that would be nonconforming in its new location together with its associated sign structure, except that in no event may a painted sign or a sign with flashing, blinking, fluctuating or otherwise animated light be relocated unless in conformity with current code requirements applicable to its new location and the relocated sign must comply with applicable provisions of Article 10 and 11; adopting findings pursuant to Section 101.1 of the Planning Code. (Supervisor Leal)

File 115-96-10, Ordinance No.

(November 8, 1996 - General Rule Exclusion from Environmental Review.)

(February 27, 1997 - Approved by Planning Commission Resolution No. 14320.)

(Amends Planning Code Section 604.)

Supervisor Leal, seconded by Supervisor Yaki, moved an amendment of the whole which reflects the February 27, 1997 recommendations of Planning Commission entitled, "Ordinance amending Planning Code Section 604 to allow within the North Beach Neighborhood Commercial District a business that is relocating to a new location within 300 feet of its existing location to also relocate one existing business sign that would be nonconforming in its new location together with its associated sign structure, except that in no event may a painted sign or a sign with flashing, blinking, fluctuating or otherwise animated light be relocated unless in conformity with current code requirements applicable to its new location and the relocated sign must comply with applicable provisions of Article 10 and 11; adopting findings pursuant to Section 101.1 of Planning Code."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Passed for Second Reading

[Revised 1995 San Francisco Building Code]

Ordinance repealing Building Code, adopted by Ordinance No. 388-95, effective December 29, 1995; readopting by reference the 1994 Uniform Building Code as amended by the California Building Code (State Code); retaining and making applicable to the State code nonsubstantive editorial revisions to previously adopted San Francisco amendments to the State Code to conform to Charter Section 03.750, provided however that substantive changes be made to provisions concerning commercial energy conservation, code review advice and grading, and provided further that San Francisco amendments to the State Code which specifically name the responsible enforcement agency be repealed; making findings of local conditions required by State law; republishing the retained San Francisco amendments in a volume separate from the State Code; reformatting the San Francisco amendments to correspond to the organization and formatting adopted by the State Code. (Building Inspection Commission, Supervisor Teng)

File 114-97-1, Ordinance No.

(Repeals Part II, Chapter 1, Ordinance 385-95;)  
(Readopts 1995 Building Code.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[Encroachment Permit, Hayes Street]

Resolution granting revocable permission to Spectator Management Group (SMG), to continue the temporary closure and occupy the northerly sidewalk and a portion of the street area on Hayes Street, between Polk and Larkin Streets, for the purpose of maintaining a loading dock and for loading and unloading operations for events at Bill Graham Civic Auditorium (Block 812, Lot 1). (Department of Public Works)

File 10-97-4, Resolution No. 366-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[State and Federal Funds, Central Freeway Demolition]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to accept and expend up to \$303,000 in State and Federal funds as reimbursement for planning, engineering and construction of traffic management measures [Project Number ER-1600(050)] as required for the demolition of the upper deck of the Central Freeway (US 101); providing for ratification of action previously taken. (Department of Parking and Traffic)

File 192-97-4, Resolution No. 374-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Adopted as Amended

[Piazzoni Murals Review Panel]

Resolution urging the Asian Art Commission to establish a Piazzoni Murals Review Panel consisting of three members including the architect, Gaetana Aulenti, and two other highly qualified art conservators, one chosen by the Asian Art Commission and the other chosen by the Committee to Retain the Piazzoni Murals and that the review panel report back to the Board of Supervisors on whether the murals can be safely removed from the old Main Library and what can be done if the murals remain to protect the murals and accommodate the Asian Art Museum's need for exhibition space. (Supervisors Bierman, Ammiano, Brown, Yaki)

File 197-97-1, Resolution No. 376-97

Supervisor Yaki, seconded by Supervisor Bierman, moved to amend page two, line 17, after "conservators" by inserting "from a mutually agreeable list of conservators who meet the standards set forth below"; amend page three, line 3, after "given a" insert "written"; amend page three, line 4, after "removal" by inserting "and/or restoration"; amend page three, line 15 by inserting a new "3) An analysis of whether the murals can be safely removed;"; renumber current "3)" to "4)"; amend page three, line 19, after "Board;" by adding "5) an analysis of the range of alternatives to accommodate the Asian Art Museum's need for exhibition space;"; amend page three, line 10 by adding "Further Resolved, That the Asian Art Commission shall, in consultation with the Committee to Retain the Piazzoni Murals, submit to the Clerk of the Board the Piazzoni Murals Review Panel's schedule of meetings and consultation dates by May 12, 1997."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Adopted

[Grants - Federal, State Regional/Local Funds]

Resolution authorizing the Public Transportation Commission to retroactively apply for, accept and expend \$107,060,210 of Federal Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement Program (CMAQ), Section 3, and Section 9 Operating and Capital Assistance, and \$991,378 of State Transit Capital Improvement Funds, State Traffic Systems Management Funds, State-Local Partnership Program and \$27,513,505 from various local match sources such as from State Transit Assistance Funds, Transportation Development Act Funds, Bridge Toll Net Revenues, Regional Measure One Funds, Gas Tax Revenues, Transit Impact Development Fees, San Francisco Municipal Railway Improvement Corporation Funds, and/or San Francisco County Transportation sales taxes for ten Municipal Railway capital projects, including \$1,001,414 for administrative overhead costs; placing \$71,987,215 on reserve. (Municipal Railway)

File 213-97-1, Resolution No. 378-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Adopted as Amended

[Treasure Island Development Authority]

Resolution authorizing the incorporation of the Treasure Island Development Authority and approving and ratifying certain actions in connection therewith; requesting quarterly progress reports. (Mayor)

File 244-97-3, Resolution No. 380-97

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Supervisor Yaki, seconded by Supervisor Leal, moved to amend page 4, line six, by adding the following: "Further Resolved, That to the extent the Board, after the completion of all required environmental reviews, approves a Homeless Assistance Agreement for the Base with the Treasure Island Homeless Development Initiative (the "TIHDI Agreement"), a draft of which the Board endorsed on July 25, 1996, in Resolution No. 672-96, the Authority, as the local reuse authority for the Base, shall be bound by and subject to all of the terms and conditions of the TIHDI Agreement, as such agreement may be finally approved by the Board."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 9.

Noes: Supervisor Yee - 1.

Absent: Supervisor Katz - 1.

Consideration Continued

Conference with City Attorney - Litigation

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) United States v. City and County of San Francisco, No. C-84-7089 and (2) Davis v. City and County of San Francisco, No. C-84-1100 as permitted by Government Code Section 54956.9(a).

At the request of the City Attorney, Supervisor Bierman, seconded by Supervisor Teng, moved to continue consideration to April 28, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

After a Closed Session, if one occurs  
the Board shall adopt motion b or motion c

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the possible litigation.

Supervisor Bierman, seconded by Supervisor Teng, moved to continue consideration to April 28, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

Supervisor Bierman, seconded by Supervisor Teng, moved to continue consideration to April 28, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Consideration Continued

Conference with Clerk of the Board - Personnel

Motion that the Board of Supervisors convene in closed session for the purpose of discussing the performance, at his request, of a public employee, the Clerk of the Board of Supervisors, Legislative Administrator and City Clerk, John L. Taylor as authorized by Government Code Section 54957.

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Supervisor Ammiano, seconded by Supervisor Bierman, moved to continue consideration to April 28, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

After a Closed Session, if one occurs  
the Board shall adopt motion b or motion c

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the personnel matter.

Supervisor Ammiano, seconded by Supervisor Bierman, moved to continue consideration to April 28, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

Supervisor Ammiano, seconded by Supervisor Bierman, moved to continue consideration to April 28, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Male speaker, marijuana club raid;  
Leboriae P. Smoore, police brutality, constitution for poor;  
John Hudson, marijuana club raid;  
Louis Dillon, eviction from Pier 33;  
John Jenkel, eviction of Carriage Charter from Fisherman's Wharf.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

On behalf of Supervisor Katz, Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Dry Cleaners]

Resolution urging the Bay Area Air Quality Management District to work with dry cleaners effected by Rule 1116 and extend the time period for compliance with the regulation. (Supervisor Yee)

File 229-97-1, Resolution No.

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Supervisor Teng, seconded by Supervisor Yee, moved to table.



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Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Final Map]

Motion approving final map of 2170 Harrison Street Lofts, a Live/Work Condominium Project, being a subdivision of Lot 26 in Assessor's Block 3573, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-7

(April 10, 1997 - Referred to Board for consideration on April 21, 1997.)

Supervisor Bierman, seconded by Supervisor Teng, moved to continue consideration to April 28, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim Hoover Middle School Day]

Resolution proclaim April 25, 1997 as "Hoover Middle School Day". (Supervisors Yee, Bierman, Leal, Yaki, Medina, Teng, Brown)

File 4-97-16, Resolution No. 357-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki, Medina, Teng, Brown requested to be added as co-sponsors.

[Proclaim Clean Your Files Day]

Resolution proclaiming April 22, 1997 as "Clean Your Files Day". (Supervisors Leal, Medina, Brown)

File 4-97-17, Resolution No. 358-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Brown requested to be added as co-sponsors.

[Take Our Daughters To Work Day]

Resolution commending the "Take Our Daughters To Work Day" and urging all City departments to encourage their staff to bring their daughters to work, to set up educational seminars for young women with departmental staff and to provide meaningful tasks for young women who come to work on April 24, 1997. (Supervisors Teng, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee, Bierman)

File 6-97-55, Resolution No. 359-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

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[Welcome Takafumi Isomura]

Resolution welcoming the Mayor of Osaka City, Mr. Takafumi Isomura to San Francisco. (Supervisors Teng, Katz, Bierman, Leal, Yaki, Medina)

File 6-97-56, Resolution No. 360-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki, Medina requested to be added as co-sponsors.

[Commendation]

Resolution commending Reverend Edward A. and Mary Stewart for 25 years of dedicated service to San Francisco. (Supervisors Yee, Medina, Teng)

File 6-97-57, Resolution No. 361-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Teng requested to be added as co-sponsors.

[Commendation]

Resolution commending Asian Law Caucus for 25 years of defending and pursuing civil rights for the Asian Pacific Community. (Supervisors Yee, Bierman, Leal, Yaki, Medina, Teng, Brown)

File 6-97-58, Resolution No. 362-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki, Medina, Teng, Brown requested to be added as co-sponsors.

[Commendation]

Resolution commending Mayor Willie L. Brown, Jr. for leading a Friendship and Trade Mission to China on behalf of the City and County of San Francisco. (Supervisors Brown, Bierman, Leal, Medina, Teng)

File 6-97-59, Resolution No. 382-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Medina, Teng requested to be added as co-sponsors.

[Commendation]

Resolution recognizing the importance of the Sexual Assault Awareness Month Rally on April 27, 1997 and commending the San Francisco Commission on the Status of Women and San Francisco Women Against Rape for their sponsorship of this rally and for their programs and efforts to combat sexual assault. (Supervisors Kaufman, Bierman, Leal, Yaki, Medina, Teng, Brown)

File 6-97-60, Resolution No. 363-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki, Medina, Teng, Brown requested to be added as co-sponsors.

[Commendation]

Resolution commending Dr. Henry L. Augustine, Jr. and declaring April 14, 1997 "Dr. Henry L. Augustine, Jr." Day in San Francisco. (Supervisors Brown, Katz, Leal, Medina, Teng, Bierman)

File 6-97-61, Resolution No. 364-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Medina, Teng, Bierman requested to be added as co-sponsors.

[Mentally Disabled Persons]

Resolution opposing the transfer of severely mentally disabled people from state institutions into community homes. (Supervisors Katz, Bierman, Yaki, Medina, Teng, Brown)

File 12-97-13, Resolution No. 367-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisors Yaki, Medina, Teng, Brown requested to be added as co-sponsors.

[National Mall]

Resolution supporting the depiction of Franklin D. Roosevelt at the National Mall in Washington D.C. as a person with a disability. (Supervisors Medina, Ammiano, Bierman, Teng, Leal, Yaki)

File 13-97-12, Resolution No. 368-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Leal, Yaki requested to be added as co-sponsors.

[Exchange Program]

Resolution supporting an exchange program between high school students from San Francisco and China. (Supervisors Brown, Bierman, Teng)

File 211-97-1, Resolution No. 377-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Children's Integrated Services]

Resolution supporting the concept of a systematic integrated service delivery model for children and youth services. (Supervisors Yee, Bierman, Leal)

File 215-97-1.1, Resolution No. 379-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Extend Planning Commission Review Period]

Resolution extending the prescribed time within which the Planning Commission may review and render its decision on a proposed ordinance to amend the Planning Code with respect to the Union Street Design Guidelines. (Supervisor Teng)

File 115-96-13.1, Resolution No. 356-97

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

[Negotiations Time Extension, Nurses]

Motion extending time for negotiations pursuant to Charter Section 11.100 for Supervising Nurses Bargaining Unit 11B and for Staff Nurses and Per Diem Nurses. (Supervisor Kaufman)

File 103-97-2

(April 14, 1997 - Introduced in Board for consideration on April 21, 1997.)

Adopted.

[Bay Bridge Bike Path]

Resolution urging the Metropolitan Transportation Commission (MTC) Bay Bridge Design Task Force and CalTrans to recommend inclusion of a design and feasibility study for a bike path extending the entire length of the Bay Bridge as part of the bridge reconstruction and retrofit project, and urging the design task force to adopt the bike path as part of their final design recommendation. (Supervisors Medina, Katz, Leal, Teng, Bierman)

File 55-97-1, Resolution No. 371-97

(April 16, 1997 - Referred to Board for consideration on April 21, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Teng, Bierman requested to be added as co-sponsors.

[December Winter Storm Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1996 storms. (Supervisors Kaufman, Teng, Bierman, Katz)

File 270-97-1.7

(April 10, 1997 - Referred to Board for consideration on April 21, 1997.)

Adopted.

[Amended Map]

Motion approving amended map of 690 Chestnut Street, a Condominium Project, being a subdivision of Lot 36 in Assessor's Block No. 51, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-8

(April 10, 1997 - Referred to Board for consideration on April 21, 1997.)

Adopted.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Medina, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Medina, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

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Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Imperative Resolution]

Adopted

[Commend Women's Initiative]

Resolution commending the Women's Initiative Program for their exemplary service to Bay Area women and on the occasion of their annual fund raising dinner.

File 006-97-062, Resolution No. 365-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Campaign Consultants Regulation]

Draft ordinance amending Administrative Code pertaining to regulation of campaign consultants. Supervisor Ammiano presented. Referred to Rules Committee.

File 097-97-022.

Referred to Board

[World War II Japanese-American Students]

Resolution recognizing May 6, 1997 as Graduation Day for World War II Japanese-American Students. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 004-97-018.

[National Japanese American Historical Society]

Resolution commending the National Japanese American Historical Society. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 006-97-063.

[Commendation]

Resolution commending the Holocaust Center of Northern California. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 006-97-064.

[Commend Dr. Rudolf Vrba]

Resolution recognizing and commending Dr. Rudolf Vrba for his contributions to humankind and for his courageous escape from Auschwitz Concentration Camp on August 7, 1944. Supervisors Kaufman, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 006-97-065.

[Commendation]

Resolution commending the San Francisco Trade and Friendship Mission Delegation on a successful trip to China, Hong Kong and Taipei and commending the work of the San Francisco-Shanghai Sister City Committee and the San Francisco-Taipei Sister City Committee. Supervisors Teng, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 006-97-066.

[Vehicle Locator System]

Resolution urging the Mayor, the Director of Public Transportation and the Public Transportation Commission to implement a vehicle locator system demonstration project on certain lines of the Municipal Railway. Supervisors Leal, Kaufman, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 007-97-008.

[State Legislation, Oppose AB 481]

Resolution declaring the City and County of San Francisco to be officially opposed to AB 481 which, if enacted, will preempt important portions of the 1996 legislation of the City and County of San Francisco to reduce lead hazards in private housing where lead-poisoned children reside and otherwise interfere with other efforts of the City and County to prevent childhood lead poisoning, while minimizing negative impacts on housing affordability; and authorizing the Lead Hazard Reduction Citizens' Advisory Committee to represent the City and county in opposing AB 481. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 012-97-014.

[State Legislation, AB 829, Grand Jury Process]

Resolution opposing AB 829 which would weaken the grand jury process in the State of California. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 012-97-015.

[State Legislation, AB 72, Citizenship Services]

Resolution supporting AB 72 which would provide financial assistance to counties to establish and administer citizenship services and urging the California State Assembly to pass AB 72 to insure attainment of citizenship through naturalization for all qualified immigrants. Supervisors Teng, Leal, Medina, Brown, Yee, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 012-97-016.

[State Legislation, AB 1197, Legal Immigrants]

Resolution supporting AB 1197; urging the California State Assembly to pass AB 1197 to create the State Safety Net program for legal immigrants and directing the Clerk to forward a copy of this resolution to the City's lobbyist in Sacramento. Supervisors Teng, Leal, Medina, Brown, Yee, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 012-97-017.

[State Legislation, SB 885, Clean Needle Exchange]

Resolution expressing the support of the San Francisco Board of Supervisors of Senate Bill 885, allowing any county or city to enact a one-for-one clean needle exchange pilot project, if requested by that locality. Supervisors Brown, Medina, Yaki, Ammiano, Teng, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 012-97-018.

[Federal Legislation, S. 615, Legal Immigrants]

Resolution supporting S. 615; urging the United States Senate to pass S. 615 to address the plight of the legal immigrants and to maintain the principle of fairness and directing the Clerk to forward a copy of this resolution to the City's lobbyist in Washington, D. C. Supervisors Teng, Leal, Medina, Brown, Yee, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 013-97-013.

[Presidio National Trust Board Composition]

Resolution urging President Clinton to appoint additional members to the Presidio National Trust Board reflecting the ethnic diversity of the City of San Francisco and the State of California. Supervisors Medina, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 013-97-014.

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Referred to Committee

[Appointment, Federal Legislative Representative]

Resolution ratifying the appointment of Marc Associates, Inc. as Federal Legislative Representative for the City and County of San Francisco. Supervisor Leal presented. Referred to Rules Committee.

File 033-97-003.

Referred to Board

[Sister Bridge Relationship]

Resolution supporting the efforts of the Golden Gate Bridge Highway and Transportation District to develop a sister bridge relationship agreement between the Golden Gate Bridge and the Yangpu Bridge in China. Supervisors Teng, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 055-97-002.

Referred to Committee

[Youth Services]

Resolution endorsing the recommendations of the Human Rights Commission on lesbian, gay, bisexual, transgendered and questioning queer youth and urging the Mayor and all department heads to develop their fiscal year 1997-98 budgets consistent with those recommendations. Supervisors Ammiano, Leal, Katz presented. Referred to Health, Family and Environment Committee.

File 108-97-001.

[For Sale Vehicles]

Resolution urging the Department of Parking and Traffic to enforce current police and traffic codes and the identification of potential city lots for "sales" sites (parking of "For Sale" vehicles). Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 190-97-007.

Referred to Board

[Sale of Live Animals for Consumption Litigation]

Resolution urging involved parties to develop a compromise with regard to the sale of live animals for consumption. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 250-97-001.

[Presidio, Wherry Housing Site]

Resolution urging the Board of the Presidio Trust to amend the Presidio Management Plan to allow for the lease of the Wherry Housing Site by the City and County of San Francisco or its designee for a period sufficient to amortize the cost of its improvement for the purpose of providing affordable housing to low income San Franciscans and Presidio employees and urging the Mayor to seek whatever executive action from the Federal Government is needed to implement this resolution. Supervisors Bierman, Ammiano, Brown, Yee, Teng, Medina, Leal, Newsom. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 251-97-001.

Requests for Hearings:

[TCI Rate Increase]

Hearing to consider TCI's proposed rate increase. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 032-97-003.

[Youth Guidance Center]

Hearing to consider the policies and practices at the Youth Guidance Center toward lesbians, gays, bisexuals transgendered and questioning queer youth. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 214-97-002.

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[Senior Protection and Suicide Prevention]

Hearing to develop an assessment and plans from various City departments and community based organizations on the impact of Welfare Reform Act on the mental health of the elderly and disabled immigrants. Supervisors Teng, Leal, Brown presented. Referred to Health, Family and Environment Committee.

File 217-97-001.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 030-97-001.07.

[Negotiations Time Extension]

Motion extending time for negotiations pursuant to Charter Section 11.100. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 28, 1997.

File 093-97-001.02.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-038. [Rita Louise Koester v. CCSF, et al.] Ordinance authorizing settlement of litigation of Rita Louise Koester v. City and County of San Francisco by payment of \$40,000. (Superior Court No. 974-800) (City Attorney) Referred to Rules Committee.

File 045-97-039. [Eleanor Garcia v. CCSF, et al.] Ordinance authorizing settlement of litigation of Eleanor Garcia against the City and County of San Francisco by payment of \$9,750. (Superior Court No. 979-431) (City Attorney) Referred to Rules Committee.

File 093-97-004. [MOU, MEA Airport Police, Bargaining Unit XP3] Substitute ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County of San Francisco for Bargaining Unit XP3 to be effective July 1, 1996 through June 30, 1997. (Department of Human Resources) Referred to Finance Committee.

File 172-97-023. [City Hall Improvements Project] Ordinance authorizing the release of reserved funds and authorizing the Department of Public Works to contract for Proposition A - City Hall Improvement Bond Project work by modifying the contract of the General Contractor (Huber, Hunt & Nichols), on the City Hall Seismic Project; companion measure to File 101-95-71.2. (Department of Public Works) Referred to Finance Committee.

Resolutions Referred to Committee

File 025-97-002. [Prop J Contract, Legal Services, District Attorney] Resolution concurring with the Controller's certification that legal process server services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney) Referred to Finance Committee.

File 025-97-003. [Prop J Contract, Jail Food Services] Resolution approving the Controller's certification that county jail food service management operations for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1997, than if work were performed by City and County employees. (Sheriff) Referred to Finance Committee.

File 025-97-004. [Prop J Contract, Eviction Assistance Program] Resolution approving the Controller's certification that the eviction assistance program for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1997, than if work were performed by City and County employees. (Sheriff) Referred to Finance Committee.

File 025-97-005. [Prop J Contract, Own Recognizance Project] Resolution approving the Controller's certification that the San Francisco "O.R." Project for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1997, than if work were performed by City and County employees. (Sheriff) Referred to Finance Committee.



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File 025-97-006. [Prop J Contract, Pre-Trial Diversion Program] Resolution approving the Controller's certification that the pretrial diversion program for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1997, than if work were performed by City and County employees. (Sheriff) Referred to Finance Committee.

File 048-97-030. [Settlement of Claim, Jonathan Kramer] Resolution approving the settlement of unlitigated claim of Jonathan Kramer by payment of \$8,817.06. (City Attorney) Referred to Rules Committee.

File 146-97-010. [Grant, State Department of Rehabilitation] Resolution authorizing the Department of Public Health, Division of Community Mental Health Services, to accept and expend a grant in the amount of \$228,961 from the State Department of Rehabilitation and to enter into a Cooperative Program Agreement and a Case Service Contract with the San Francisco Department of Rehabilitation District to provide vocational services to mentally-ill psychiatric clients, waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 172-97-022. [Amended State Hold Harmless Medi-Cal Agreement] Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to enter into an amended hold harmless Medi-Cal agreement retroactive to July 1, 1995 for the term July 1, 1995 through June 30, 1996 with the State of California, Department of Alcohol and Drug Programs in the amended amount of \$5,393,947 as a condition of receiving State Medi-Cal funds for substance abuse treatment, authorizing and designating the Director of Community Substance Abuse Services to sign said document. (Department of Public Health) Referred to Health, Family and Environment Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Ammiano, Bierman, Brown, that letters be sent to Chief of Police and District Attorney requesting information regarding the Federal Drug Enforcement Agency's raid on "Flower Therapy", a medical marijuana distribution center.

By Supervisor Ammiano, that letter be sent to Chief of Police requesting report on the status of the "Johns" fund and whether such funds can be used for prostitution diversion programs.

By Supervisor Newsom, that City Attorney prepare ordinance which would allow the Bureau of Environmental Health to recover some costs for abatement hearings by charging restaurant owners who must appear at these hearings.

By Supervisor Teng, that City Attorney be requested to implement a multi-agency code enforcement task force for the Third Street corridor.

#### ADJOURNMENT

There being no further business, the Board at the hour of 3:42 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 7, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



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# **Journal of Proceedings**

*The Minutes of the*

## **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 28, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Newsom - 1.

Quorum present.

Supervisor Newsom excused. (See infra.)

Supervisor Newsom Excused

The Clerk stated Supervisor Newsom requested to be excused from attending today's meeting.

Supervisor Medina, seconded by Supervisor Brown, moved to excuse Supervisor Newsom from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Katz requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Adopted

[Lease, Water Department/Cisco Systems, Inc.]

Resolution authorizing a 40-year lease of Public Utilities Commission land between the City and County and Cisco Systems, Inc., in Santa Clara County. (Public Utilities Commission)

File 65-97-4, Resolution No. 410-97

Supervisor Katz Excused from Voting

The Clerk announced that Supervisor Katz requested to be excused from voting because of a possible conflict of interest.

Supervisor Teng, seconded by Supervisor Medina, moved to excuse Supervisor Katz from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

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Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Excused: Supervisor Katz - 1.

Absent: Supervisor Newsom - 1.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Appropriation, Trial Courts]

Ordinance appropriating \$538,830, Trial Courts, from the Court's Special Revenue Fund, for computer maintenance contracts to complete four automation projects in fiscal year 1996-97, placing \$102,000 on reserve. (Controller)

File 101-96-21.1, Ordinance No. 135-97

Finally passed.

[MOU, Local 790, Staff Nurse/Per Diem Nurse]

Ordinance implementing an agreement to amend the Staff Nurse and Per Diem Nurse Memorandum of Understanding between the City and County and the Service Employees International Union, Local 790 which expires June 30, 1997 and agree to certain terms and conditions of employment to be incorporated into any successor agreement to take effect on July 1, 1997. (Department of Human Resources)

File 93-97-8, Ordinance No. 146-97

Finally passed.

[Amendment to MOU, Deputy Sheriff's Association]

Ordinance adopting and implementing Amendment Number 2 to the Memorandum of Understanding between the Deputy Sheriff's Association and the City and County to be effective July 1, 1997 through June 30, 1998. (Department of Human Resources)

File 93-97-9, Ordinance No. 147-97

Finally passed.

[Amendment to MOU, S.F. Interns and Residents]

Ordinance implementing the provisions of a Memorandum of Understanding between the San Francisco Interns and Residents Association and the City and County for the period December 1, 1996 through November 30, 1998. (Department of Human Resources)

File 93-97-10, Ordinance No. 148-97

Finally passed.

[MOU, Local 22]

Ordinance implementing the provisions of a Memorandum of Understanding between the Bay Counties District Council of Carpenters, Carpenters, Local 22 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-13, Ordinance No. 149-97

Finally passed.

[MOU, Local 580]

Ordinance implementing the provisions of a Memorandum of Understanding between the Cement Masons Union, Local 580 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-14, Ordinance No. 150-97

Finally passed.

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[MOU, Local 6]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-15, Ordinance No. 151-97

Finally passed.

[MOU, Local 718]

Ordinance implementing the provisions of a Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local 718 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-16, Ordinance No. 152-97

Finally passed.

[MOU, Institutional Police Officers Association]

Ordinance implementing the provisions of a Memorandum of Understanding between the San Francisco Institutional Police Officers Association and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-17, Ordinance No. 153-97

Finally passed.

[MOU, Local 16]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Alliance of Theatrical Stage Employees and Moving Motion Picture Machine Operators of the United States and Canada, Local 16 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Public Health)

File 93-97-18, Ordinance No. 154-97

Finally passed.

[MOU, Local 377]

Ordinance implementing the provisions of a Memorandum of Understanding between the Ironworkers-Bridge, Structural Ornamental and Reinforced, Local Union 377 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-19, Ordinance No. 155-97

Finally passed.

[MOU, Local 261]

Ordinance implementing the provisions of a Memorandum of Understanding between the Laborers International Union of North America, Local 261 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-20, Ordinance No. 156-97

Finally passed.

[MOU, Local 1414]

Ordinance implementing the provisions of a Memorandum of Understanding between the Peninsula Automotive Mechanics Lodge, No. 1414, International Association of Machinists & Aerospace Workers, AFL-CIO and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-21, Ordinance No. 157-97

Finally passed.

[MOU, Local Union No. 3]

Ordinance implementing the provisions of a Memorandum of Understanding between the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-22, Ordinance No. 158-97

Finally passed.

[MOU, Local 3]

Ordinance implementing the provisions of a Memorandum of Understanding between Operating Engineers, Local 3 bargaining for Supervising Probation Officers and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-23, Ordinance No. 159-97

Finally passed.

[MOU, Local 4]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Brotherhood of Painters and Allied Trades, Local 4 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-24, Ordinance No. 160-97

Finally passed.

[MOU, Local Union No. 34]

Ordinance implementing the provisions of a Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf & Dock Builders, Local Union No. 34 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-25, Ordinance No. 161-97

Finally passed.

[MOU, Local Union No. 38]

Ordinance implementing the provisions of a Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local Union No. 38 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-26, Ordinance No. 162-97

Finally passed.

[MOU, Local 66]

Ordinance implementing the provisions of a Memorandum of Understanding between the Plasterers and Shophands, Local 66 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-27, Ordinance No. 163-97

Finally passed.

[MOU, Local 40]

Ordinance implementing the provisions of a Memorandum of Understanding between the Roofers, Local 40 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-28, Ordinance No. 164-97

Finally passed.

[MOU, Local 104]

Ordinance implementing the provisions of a Memorandum of Understanding between the Sheet Metal Workers International Union, Local 104 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-29, Ordinance No. 165-97

Finally passed.

[MOU, Local 3/Hodcarriers and Local 36]

Ordinance implementing the provisions of a Memorandum of Understanding between the Bricklayers, Stone Masons, Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3/Hodcarriers, Local



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36 and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-30, Ordinance No. 166-97

Finally passed.

[Amendment to MOU, Municipal Attorney's Association]

Ordinance implementing the Amendment Number 1 to the Memorandum of Understanding between the Municipal Attorney's Association and the City and County to be effective July 1, 1997 through June 30, 1998. (Department of Human Resources)

File 93-97-31, Ordinance No. 167-97

Finally passed.

[Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County whose compensations are subject to the provisions of Section A8.409 of the Charter, in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1997. (Department of Human Resources)

File 93-97-32, Ordinance No. 168-97

Finally passed.

[MOU, Probation Officers]

Ordinance implementing the provisions of a Memorandum of Understanding between the Probation Officers Association represented by Teamsters Local 865 and the City and County for the period July 1, 1997 through June 30, 2001. (Supervisor Yee)

File 93-97-33, Ordinance No. 169-97

Finally passed.

[Emergency Medical Services]

Ordinance amending Health Code, by repealing section which authorizes the Department of Public Health to provide emergency medical services and by adding a new Section 112 relating to the provision of emergency medical services by the Fire Department with Health Commission approval. (Supervisors Kaufman, Teng, Brown, Leal, Ammiano, Newsom)

File 118-97-1, Ordinance No. 171-97

(Repeals Section 112 and adds new Section 112.)

Finally passed.

[Appropriation, Fire Department]

Ordinance appropriating \$1,653,393, Fire Department, from the General Fund Reserve for salaries, materials and supplies, equipment purchase and services of other departments to fund the cost of transferring the Paramedic Division from Public Health to the Fire Department for fiscal year 1996-97; placing \$508,268 on reserve; companion measure to File 118-97-1. (Supervisors Kaufman, Teng, Brown, Leal, Ammiano, Newsom)

File 101-96-50, Ordinance No. 136-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Public Health]

Ordinance appropriating \$40,000,000, Department of Public Health-SFGH, to participate in the SB 1255 Disproportionate Share Payment Program through the California Medical Assistance Commission during fiscal year 1996-97; funded from miscellaneous Health Department revenues. (Controller)

File 101-96-56, Ordinance No. 141-97

Finally passed.

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[Appropriation, Commission on the Status of Women]

Ordinance appropriating \$60,000, Commission on the Status of Women, of the General Reserve Fund for domestic violence for professional services for fiscal year 1996-97. (Controller)

File 101-96-57, Ordinance No. 142-97

Finally passed.

Recommendations of Rules Committee

Passed for Second Reading

[Efren and Susan Avila v. CCSF et al.]

Ordinance authorizing settlement of litigation of Efren and Susan Avila against the City and County by payment of \$160,000. (City Attorney)

File 45-97-31, Ordinance No.

(Superior Court No. 968-379.)

Passed for second reading.

[Anna Hofsass v. CCSF]

Ordinance authorizing settlement of litigation of Anna Hofsass against the City and County by payment of \$10,000. (City Attorney)

File 45-97-32, Ordinance No.

(Superior Court No. 968-143.)

Passed for second reading.

[Sean Creed v. CCSF et al.]

Ordinance authorizing settlement of litigation of Sean Creed against the City and County by payment of \$15,000. (City Attorney)

File 45-97-33, Ordinance No.

(Superior Court No. 952-759.)

Passed for second reading.

[Kolb/Nationwide Mutual Fire Insurance v. CCSF]

Ordinance authorizing settlement of litigation of William Kolb, Helen J. Kolb, and Nationwide Mutual Fire Insurance Company v. City and County by payment of \$25,000. (City Attorney)

File 45-97-34, Ordinance No.

(Superior Court No. 966-662.)

Passed for second reading.

[Arthur Fritz v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Arthur Fritz against the City and County by payment of \$11,500. (City Attorney)

File 45-97-35, Ordinance No.

(Superior Court No. 976-699.)

Passed for second reading.

[Barbara Lee v. CCSF]

Ordinance authorizing settlement of litigation of Barbara Lee against the City and County by payment of \$6,500. (City Attorney)

File 45-97-36, Ordinance No.

(Superior Court No. 975-562.)

Passed for second reading.

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[Harold Morgan v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Harold Morgan against the City and County by payment of \$40,000 to JoAnn Morgan, trustee and successor in interest to Harold Morgan. (City Attorney)

File 45-97-37, Ordinance No.

(Superior Court No. 962-629.)

Passed for second reading.

Adopted

[Cooperative Agreement-Petrocchi Brothers]

Resolution approving Cooperation Agreement with Petrocchi Brothers relating to leasing of property at 998 and 988 El Camino Real in South San Francisco; companion measure to File 46-97-6. (City Attorney)

File 172-97-21, Resolution No. 415-97

Adopted.

Passed for Second Reading

[CCSF v. Petrocchi Brothers, et al.]

Ordinance authorizing settlement of City and County v. Petrocchi Brothers, et al., whereby defendants pay to the City \$119,350, transfer title to structure at 301 Spruce Avenue, and enter into a Cooperation Agreement with the City; companion measure to File 172-97-21. (City Attorney)

File 46-97-6, Ordinance No.

(Superior Court No. 969-068.)

Passed for second reading.

Adopted

[Settlement of Claim, Alan Tian Lin]

Resolution approving the settlement of the unlitigated claim of Alan Tian Lin (a minor) by payment of \$16,500.00. (City Attorney)

File 48-97-29, Resolution No. 408-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendation of Finance Committee

Finally Passed

[Appropriation, Planning Department]

Ordinance appropriating \$291,920, Planning Department, of Planning Commission Fee Revenue for salaries, fringe benefits, other current expenses, equipment purchase, and services of other departments for the creation of nine (9) positions to expand permitting services for fiscal year 1996-97. (Supervisors Teng, Leal)

File 101-96-55, Ordinance No. 140-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

Recommendations of Economic Development, Transportation  
and Technology Committee

Finally Passed

[Sign Ordinance]

Ordinance amending Planning Code to allow within the North Beach Neighborhood Commercial District a business that is relocating to a new location within 300 feet of its existing location to also relocate one existing business sign that would be nonconforming in its new location together with its associated sign structure, except that in no event may a painted sign or a sign with flashing, blinking, fluctuating or otherwise animated light be relocated unless in conformity with current code requirements applicable to its new location and the relocated sign must comply with applicable provisions of Articles 10 and 11; adopting findings pursuant to Section 101.1 of the Planning Code. (Supervisor Leal)

File 115-96-10, Ordinance No. 172-97

(November 8, 1996 - General Rule Exclusion from Environmental Review.)

(February 27, 1997 - Approved by Planning Commission Resolution No. 14320.)

(Amends Planning Code Section 604.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Revised 1995 San Francisco Building Code]

Ordinance repealing Building Code, adopted by Ordinance No. 388-95, effective December 29, 1995; readopting by reference the 1994 Uniform Building Code as amended by the California Building Code (State Code); retaining and making applicable to the State code nonsubstantive editorial revisions to previously adopted San Francisco amendments to the State Code to conform to Charter Section D3.750, provided however that substantive changes be made to provisions concerning commercial energy conservation, code review advice and grading, and provided further that San Francisco amendments to the State Code which specifically name the responsible enforcement agency be repealed; making findings of local conditions required by State law; republishing the retained San Francisco amendments in a volume separate from the State Code; reformatting the San Francisco amendments to correspond to the organization and formatting adopted by the State Code. (Supervisors Teng, Leal)

File 114-97-1, Ordinance No. 173-97

(Repeals Part II, Chapter 1, Ordinance 385-95.)

(Readopts 1995 Building Code.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Sheriff]

Ordinance appropriating \$330,342, Sheriff, of State and Federal Grant Revenue, for overtime, fringe benefits and equipment purchase for fiscal year 1996-97 (\$37,410 for equipment purchase serves as a local match for Citizen's Option for Public Safety (COPS) grant), placing \$37,410 on reserve. (Controller)

File 101-96-60, Ordinance No.

Passed for second reading by the following vote:

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Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Hold Harmless Agreements, Emergency Circumstances]

Ordinance amending Administrative Code, to authorize the City's assumption of defense and indemnification of consultants and other contractors from claims and lawsuits arising from services performed for and under contract with the City in emergency circumstances. (Building Inspection Commission)

File 97-97-14, Ordinance No.

(Adds Section 1.25-8.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Adopted

[Joint Fundraising Drive for 1997]

Resolution designating those agencies qualified to participate in the 1997 Annual Joint Fundraising Drive for officers and employees of the City and County. (Finance Committee)

File 162-97-1, Resolution No. 414-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Recommendations of Housing and Neighborhood Services Committee

Passed for Second Reading

[Pharmacy Hours of Operation]

Ordinance amending Planning Code, to exempt pharmacies, as defined, from the permitted hours of operation, thereby allowing pharmacies to operate 24 hours per day and making determination of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Teng, Brown, Katz, Ammiano, Yaki, Medina, Newsom, Bierman)

File 115-96-14, Ordinance No.

(Amends Sections 790.48, 890.48.)

(February 4, 1997 - General Rule Exclusion from Environmental Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

In connection with the above item, Supervisors Medina, Newsom, Bierman requested to be added as co-sponsors.

Adopted

[Parking Plan/Off-Street Parking Plan]

Resolution urging the Department of Parking and Traffic to include the Small Business Advisory Commission in the planning process of developing a long term parking plan and developing and tracking the revenue needed for an off-street parking fund. (Supervisors Ammiano, Teng, Leal, Bierman)

File 190-96-8, Resolution No. 460-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

In connection with the above item, Supervisors Leal, Bierman requested to be added as co-sponsors.

[Edgehill Mountain Slope Hazard Area]

Resolution creating the Edgehill Mountain Slope Hazard Area, which is generally bounded by Garcia Avenue, Vasquez Avenue, Kensington Way and Ulloa Street and traversed by Edgehill Way; imposing Interim Zoning Controls to temporarily prohibit the approval of permits or other land use entitlements, subject to specific exemptions, for property in the Edgehill Mountain Slope Hazard Area for a four (4) month period; requesting various City departments to present recommendations to the Board concerning regulatory mechanisms for resolving slope stability and other engineering issues in the Edgehill Mountain Slope Hazard Area; and making finding of consistency with the priority policies of the Planning Code. (Supervisors Teng, Bierman)

File 111-97-1, Resolution No. 412-97

(February 24, 1997 - General Rule Exclusion from Environmental Review.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Grant State, TDA Funds-Bicycle/Pedestrian Projects]

Resolution authorizing the Director of Public Works and the Executive Director of the Department of Parking and Traffic to execute documents necessary to apply for, accept and expend \$618,173 of Transportation Development Act (TDA) Article 3 funds for bicycle and pedestrian projects and waiving indirect costs; placing \$267,182 on reserve. (Supervisors Leal, Bierman)

File 148-97-2, Resolution No. 413-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

In connection with the above item, Supervisors Leal, Bierman requested to be added as co-sponsors.

[Liquor License, 3635 Balboa Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Katerina Rodriguez for Balboa Produce located at 3635 Balboa Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-9, Resolution No. 419-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Recommendations of Rules Committee

Adopted

[Appointment, S.F. Redevelopment Agency]

Resolution confirming Mayor's appointment of Mark Dunlop to serve as a member of San Francisco Redevelopment Agency. (Mayor, Supervisor Bierman)

File 33-97-2, Resolution No. 370-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

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[Long-Term Care Pilot Task Force]

Resolution appointing members to the Long-Term Care Pilot Project Task Force; making findings waiving residency requirement. (Rules Committee)

File 92-97-11, Resolution No. 411-97

(Joanne Handy, Seat No. 29902, Long-Term Care Services;  
Anna Mullins, Seat No. 29909, Hospitals;  
Sal Roselli, Seat No. 29912, Labor.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Appointments, Airport Noise Committee]

Resolution appointing members to the Airport Noise Committee, terms expired, for new three-year terms ending September 30, 1999. (Rules Committee)

File 92-96-45.1, Resolution No. 384-97

(Daniel Liberthson, Seat No. 20509, vice Curt Holzinger;  
Daniel Tan, Seat No. 20512, vice William Alich;  
Timothy Treacy, Seat No. 20513, vice himself;  
Amy Quirk, Seat No. 20515, vice herself;  
Donald G. Bertone, Seat No. 20517, vice Catherine Murphy.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Tobacco Litigation Contingent Fee]

Resolution approving retroactively, contingency fee agreement in People v. R.J. Reynolds Tobacco Co., et al. (City Attorney, Supervisor Leal)

File 194-97-2, Resolution No. 417-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) United States v. City and County of San Francisco, No. C-84-7089 and (2) Davis v. City and County of San Francisco, No. C-84-1100 as permitted by Government Code Section 54956.9(a).

(April 21, 1997 - Consideration continued to April 28, 1997.)

Supervisor Medina, seconded by Supervisor Brown, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Recess

The Board recessed at the hour of 3:24 p.m. to convene in closed session.

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Reconvening of the Board

The Board, at the hour of 4:12 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Noted absent:

Supervisor Newsom - 1.

Quorum present.

Report on Closed Session

The Board took no action.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the possible litigation.

(April 21, 1997 - Consideration continued to April 28, 1997.)

Supervisor Medina, seconded by Supervisor Leal, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Conference with Clerk of the Board - Personnel

From the President

Adopted

Motion that the Board of Supervisors convene in closed session for the purpose of discussing the performance, at his request, of a public employee, the Clerk of the Board of Supervisors, Legislative Administrator and City Clerk, John L. Taylor as authorized by Government Code Section 54957.

(April 21, 1997 - Consideration continued to April 28, 1997.)

Supervisor Medina, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Recess

The Board recessed at the hour of 5:13 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 5:45 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Noted absent:



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Supervisor Newsom - 1.

Quorum present.

Report on Closed Session

The Board took no action.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the personnel matter.

(April 21, 1997 - Consideration continued to April 28, 1997.)

Supervisor Leal, seconded by Supervisor Medina moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Appeal, 1850 Turk Street Tentative Map]

Hearing of persons interested in or objecting to the decision of the Director of Public Works on March 19, 1997, approving Tentative Subdivision Map for the construction of a 6-unit new condominium for Lot 12, in Assessor's Block 1129, at 1850 Turk Street.

File 59-97-2

The following persons were sworn in and granted privilege of the floor:

Appellants: Frances Lung, Mr. Jamison.

Respondents: John Cory, Gary Gee, Jack, Joe O'Donohue, Bernard Castin.

A rebuttal period was allowed.

The President then declared the hearing closed.

From the Clerk

(Only one of the following two motions should be adopted.)

Adopted

[Subdivision]

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map for the construction of a 6-unit new condominium in Assessor's Block 1129, Lot 12, of property located at 1850 Turk Street.

File 59-97-2.1

Supervisor Yaki, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Tabled

[Subdivision]

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map for the construction of a 6-unit new condominium in Assessor's Block 1129, Lot 12, of property located at 1850 Turk Street.

File 59-97-2.2

Supervisor Bierman, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map for the construction of a 6-unit new condominium in Assessor's Block 1129, Lot 12, of property located at 1850 Turk Street, for consideration by the Board at its next meeting.

File 59-97-2.3

Supervisor Leal, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboriae P. Smoore, police brutality/constitution for poor people;  
Reuben Goodman, violence in the community.

Speaking in opposition of resolution urging compromise concerning sale of live animals for consumption: Virginia Handley, Eric Mills, Joyce Karst, Dr. Katz.

Speaking in support of compromise concerning sale of live animals for consumption:: Richard Schulke, Rev. Norman Fong.

Speaking in support of housing in the Presidio for homeless: Ricardo Aragon, Rev. Norman Fong, Caty Powell, Patricia Carey, Bob Finney, female speaker.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued as Amended

[State Legislation, Oppose AB 481]

Resolution declaring the City and County of San Francisco to be officially opposed to AB 481 which, if enacted, will preempt important portions of the 1996 legislation of the City and County of San Francisco to reduce lead hazards in private housing where lead-poisoned children reside and otherwise interfere with other efforts of the City and County to prevent childhood lead poisoning, while minimizing negative impacts on housing affordability; and authorizing the Lead Hazard Reduction Citizens' Advisory Committee to represent the City and county in opposing AB 481. (Supervisors Bierman, Katz)

File 12-97-14, Resolution No.

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Supervisor Bierman, seconded by Supervisor Ammiano, moved to amend line 1 by deleting "and SB 718".

Motion to amend adopted by the following vote:

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Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Supervisor Bierman, seconded by Supervisor Ammiano, moved to continue consideration as amended to May 5, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yee requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Sale of Live Animals for Consumption Litigation]

Resolution urging involved parties to develop a compromise with regard to the sale of live animals for consumption. (Supervisor Yee)

File 250-97-1, Resolution No.

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

At the request of Supervisor Yee, referred to Health, Family and Environment Committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Final Map]

Motion approving final map of 2170 Harrison Street Lofts, a Live/Work Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 3573, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-7

(April 21, 1997 - Consideration continued to April 28, 1997.)

Supervisor Bierman, seconded by Supervisor Ammiano, moved to continue consideration to May 5, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[World War II Japanese-American Students]

Resolution recognizing May 6, 1997 as Graduation Day for World War II Japanese-American Students. (Supervisors Yee, Yaki, Katz, Medina, Teng, Leal, Bierman)

File 4-97-18, Resolution No. 386-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

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In connection with the above item, Supervisors Katz, Medina, Teng, Leal, Bierman requested to be added as co-sponsors.

Request Granted

Supervisor Yee requested that the following statement be included in the Journal of Proceedings.

Statement from Allen White

"Coming Home: The Japanese American students of 1942, 1943, 1944 and 1945 return", was a concept with two specific goals. The first would allow the people of San Francisco to come together to acknowledge and show respect for each one of you and the 120,000 other Japanese Americans you symbolically represent.

Our second goal was for a new generation of San Franciscans to hear your voices and learn a new perspective and a new insight into the effect of Executive Order 9066.

Tuesday, May 6, 1996 will be a day I shall never forget. I believe we were successful in reaching our goals. I also believe we were successful in creating an event which would dramatically touch our hearts, our lives and our spirits.

As the music of Elgar's "Pomp & Circumstance" filled the Civic Auditorium, I realized, with tears streaming down my cheeks, that this was one of those moments which shall never be repeated. In fact, many may describe it as an historical moment.

I knew then all the work we had done had been worth it all.

You, the men and women who walked down the aisle are the ones who struggled, suffered such deep pain and ultimately survived. As you walked down the aisle I immediately understood how each one of you honored all of us by your presence and your participation in this event.

The spark that began this project came out of a meeting last June, 1996 with members of the George Washington High School Alumni Association. We were planning a 60th anniversary program for the school. It was planned to highlight each decade of the school.

"How will we deal with the issue of the Japanese Americans sent to camp during 1942," I asked. Someone replied: "Let's not deal with that, it's such a downer." "Not an acceptable answer," I said to myself.

The next thought was to invite some graduates to the alumni and have them introduced. Then we saw the problem. You all went to camps and there were no graduates.

What now? Calls were then made to Janice Mirkitani at Glide Church; Yori Wada, my perception of the true Japanese American statesman and J.K. Yamamoto, English Editor of the Hokubei Mainichi newspaper. From these conversations it became clear diplomas should be presented, even if 50 years late. We expanded the scope to other schools besides Washington High and we chose to include more years.

Enter Leland Yee, now Supervisor, then School Board member. He drafted and presented the resolution which was unanimously passed by the San Francisco Board of Education. The resolution called upon the Superintendent to create a process to locate and invite those qualified to receive these diplomas.

Opinions expressed at several small meetings by those qualified to graduate, left no question about your thoughts. Community guilt trips were identified as both hollow in motivation and about 55 years too late.

At one meeting a gruff speaking, rugged man stood up. He said he reluctantly attended the meeting. He had no interest in a diploma. "Where were those people 50 years ago who now want to make themselves feel important," he charged.

Then as tears welled up in his eyes, this man, one you suppose never cries, opened his heart. "Can you make this something which will educate, which will make people never forget," he asked. "Would it be possible to educate all those kids in school today?"

If you can, he continued, then count me in. I will be there, not for me and not to receive a diploma. I will be there because each one of us who stands up represents 120,000 who we must never let the world forget.

What a challenge. What an opportunity. Today, I am proud and pleased to report that we have successfully met the goals of this project.

The first challenge was to secure the Civic Auditorium. Many felt the venue too large. I didn't. It was my hope to fill the auditorium with as many students as possible. That dream became reality about one hour before the ceremony as the busses began to arrive. More than 40 yellow school buses arrived with more than 2,500 passengers.

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As the program began, we saw the power of education right before our eyes. Over 2,000 rowdy students were simultaneously and amazed as reality hit them square in the face. There is no question...the kids got it.

They knew exactly what was happening. How fascinating it was to notice the noise level drop as each speaker told their story. An amazing experience.

Each of you, I trust, will share with me the belief that we successfully changed the lives of many students who attended the ceremony. What a delightful surprise to hear the screams and cheers from these young students as one of you from their school stepped forward to receive your diploma.

The second major educational component was the use of television. Bay TV, the cable news service of KRON-TV, made a substantial investment in the graduation ceremony. The result was a one hour prime-time special which aired Sunday evening, May 11 throughout Northern California.

The next phase is to create a permanent home video which will contain the Bay-TV program and copies of the news clips which aired in the Bay Area and across America. When complete, you may expect a complimentary copy.

We have also investigated the creation of a living memorial which would bring together rare film footage, video, including the Bay TV program, and essays and drawings from school children.

In summary, I wish you all to know I shall remember this experience as one of the most gratifying in my life as well as, without question, one of the most painful.

This project revealed bigotry, discrimination and that real bad people continue to exist. The spirit of Executive Order 9066 has not died. It is kept alive by the egos of power hungry bureaucrats and those who give higher priority to their strategies of control rather than agendas of compassion and care.

What is exciting is we have been given the opportunity to see and feel your spirit, your discipline and your courage to survive. How can you forgive is a question I was asked repeatedly.

Possibly our greatest strength was to stay focused on our goals to educate and to demonstrate our respect through the quality of the event we produced.

I am so very proud of what we have created.

For each one of you, I hope May 6, 1997 will be remembered as your day for Coming Home."

[National Japanese American Historical Society]  
Resolution commending the National Japanese American Historical Society. (Supervisors Yee, Bierman, Katz, Medina, Teng, Leal)

File 6-97-63, Resolution No. 391-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Teng, Leal requested to be added as co-sponsors.

[Commendation]  
Resolution commending the Holocaust Center of Northern California. (Supervisors Yee, Bierman)

File 6-97-64, Resolution No. 392-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

[Commend Dr. Rudolf Vrba]  
Resolution recognizing and commending Dr. Rudolf Vrba for his contributions to humankind and for his courageous escape from Auschwitz Concentration Camp on August 7, 1994. (Supervisors Kaufman, Yee, Bierman, Katz, Medina, Teng, Leal)

File 6-97-65, Resolution No. 393-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Teng, Leal requested to be added as co-sponsors.

[Commendation]

Resolution commending the San Francisco Trade and Friendship Mission Delegation on a successful trip to China, Hong Kong and Taipei and commending the work of the San Francisco-Shanghai Sister City Committee and the San Francisco-Taipei Sister City Committee. (Supervisors Teng, Brown, Bierman, Katz, Medina, Leal)

File 6-97-66, Resolution No. 394-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Leal requested to be added as co-sponsors.

[Vehicle Locator System]

Resolution urging the Mayor, the Director of Public Transportation and the Public Transportation Commission to implement a vehicle locator system demonstration project on certain lines of the Municipal Railway. (Supervisors Leal, Kaufman, Yaki, Bierman, Katz, Teng)

File 7-97-8, Resolution No. 400-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Teng requested to be added as co-sponsors.

[State Legislation, AB 829, Grand Jury Process]

Resolution opposing AB 829 which would weaken the grand jury process in the State of California. (Supervisor Kaufman)

File 12-97-15, Resolution No. 401-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

[State Legislation, AB 72, Citizenship Services]

Resolution supporting AB 72 which would provide financial assistance to counties to establish and administer citizenship services and urging the California State Assembly to pass AB 72 to insure attainment of citizenship through naturalization for all qualified immigrants. (Supervisors Teng, Leal, Medina, Brown, Yee, Bierman, Kaufman, Katz)

File 12-97-16, Resolution No. 402-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[State Legislation, AB 1197, Legal Immigrants]

Resolution supporting AB 1197; urging the California State Assembly to pass AB 1197 to create the State Safety Net program for legal immigrants and directing the Clerk to forward a copy of this resolution to the City's Lobbyist in Sacramento. (Supervisors Teng, Leal, Medina, Brown, Yee, Bierman, Kaufman, Katz)

File 12-97-17, Resolution No. 403-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[State Legislation, SB 885, Clean Needle Exchange]

Resolution expressing the support of the San Francisco Board of Supervisors of Senate Bill 885, allowing any county or city to enact a one-for-one clean needle exchange pilot project, if requested by that locality. (Supervisors Brown, Medina, Yaki, Ammiano, Teng, Newsom, Bierman, Kaufman, Katz)

File 12-97-18, Resolution No. 404-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Monday, April 28, 1997

Adopted.

In connection with the above item, Supervisors Kaufman, Katz requested to be added as co-sponsors.

[Federal Legislation, S. 615, Legal Immigrants]

Resolution supporting S. 615; urging the United States Senate to pass S. 615 to address the plight of the legal immigrants and to maintain the principle of fairness and directing the Clerk to forward a copy of this resolution to the City's lobbyist in Washington, D. C. (Supervisors Teng, Leal, Medina, Brown, Yee, Bierman, Kaufman, Katz)

File 13-97-13, Resolution No. 405-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Presidio National Trust Board Composition]

Resolution urging President Clinton to appoint additional members to the Presidio National Trust Board reflecting the ethnic diversity of the City of San Francisco and the State of California. (Supervisors Medina, Bierman)

File 13-97-14, Resolution No. 406-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

[Sister Bridge Relationship]

Resolution supporting the efforts of the Golden Gate Bridge Highway and Transportation District to develop a sister bridge relationship agreement between the Golden Gate Bridge and the Yangpu Bridge in China. (Supervisors Teng, Brown, Kaufman, Medina, Leal, Bierman)

File 55-97-2, Resolution No. 409-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Medina, Leal, Bierman requested to be added as co-sponsors.

[Presidio, Wherry Housing Site]

Resolution urging the Board of the Presidio Trust to amend the Presidio Management Plan to allow for the lease of the Wherry Housing Site by the City and County of San Francisco or its designee for a period sufficient to amortize the cost of its improvement for the purpose of providing affordable housing to low income San Franciscans and Presidio employees and urging the Mayor to seek whatever executive action from the Federal Government is needed to implement this resolution. (Supervisors Bierman, Ammiano, Brown, Yee, Teng, Medina, Leal, Newsom, Katz)

File 251-97-1, Resolution No. 381-97

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.7

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

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[Negotiations Time Extension]

Motion extending time for negotiations pursuant to Charter Section 11.100. (Supervisor Kaufman)

File 93-97-1.2

(April 21, 1997 - Introduced in Board for consideration on April 28, 1997.)

Adopted.

[Suspend 30 Day Rule - Amend Chapters 12B/12C]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to consider, without waiting 30 days after its introduction, proposed amendments to Chapters 12B and 12C of the Administrative Code. (Supervisors Katz, Ammiano, Leal, Medina)

File 54-97-3

(April 23, 1997 - Referred to Board for consideration on April 28, 1997.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[FDA Exemption Request]

Resolution authorizing the City Attorney to file a request with the Food and Drug Administration for an exemption from preemption to permit enforcement of the City's ordinance banning cigarette vending machines. (Supervisors Yaki, Leal)

File 194-97-3, Resolution No. 418-97

(April 23, 1997 - Referred to Board for consideration on April 28, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Boards find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:



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Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Imperative Resolutions]

Adopted

[Nancy Yoshihara Mayeda Day]

Resolution declaring April 29, 1997 Nancy Yoshihara Day in San Francisco in honor of the opening of the Nancy Mayeda Middle School Campus of Rooftop Alternative School.

File 004-97-019, Resolution No. 387-97

Supervisor Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Stephen Nakajo Day]

Resolution commending Stephen Nakajo for his significant contributions to the senior citizens of San Francisco and declaring March 3, 1997 Stephen Nakajo Day in San Francisco.

File 004-97-020, Resolution No. 388-97

Supervisors Yaki, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Bay Area Video Coalition Day]

Resolution declaring May 1, 1997 Bay Area Video Coalition Day.

File 004-97-021, Resolution No. 389-97

Supervisors Katz, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Raoul Wallenberg Day]

Resolution declaring April 28, 1997 Raoul Wallenberg Day.

File 004-97-022, Resolution No. 390-97

Supervisors Katz, Bierman, Kaufman, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Commendation]

Resolution commending Franklin D. Harris on receiving the MUNI Systemwide Operator of the Month for April, 1997.

File 006-97-067, Resolution No. 395-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Commendation]

Resolution commending Donald D.C. Lee on receiving the MUNI Systemwide Operator of the Month for March, 1997.

File 006-97-068, Resolution No. 396-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Commendation]

Resolution commending the Latinos in Communication Association for outstanding service to Bay Area communication professionals.

File 006-97-069, Resolution No. 397-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Commendation]

Resolution commending the Committee of Latino Professionals on the occasion of their "Cinco de Mayo" celebration and for promulgating Latino cultural pride.

File 006-97-070, Resolution No. 398-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

[Commendation]

Resolution commending the Personnel Management Association of Aztlan for its contribution to the field of personnel and industrial relations in pursuit of the advancement of Latino professionals.

File 006-97-071, Resolution No. 399-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Commission on Aging]

Ordinance appropriating \$75,000, Commission of the Aging, for professional services, from General Fund Reserve. Supervisor Yaki presented. Referred to Finance Committee.

File 101-96-067.

[Taxicab Surcharges]

Draft ordinance amending Police Code Section 1135 to prohibit surcharges on taxicab drivers for non-cash transactions. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 015-97-002.

[Zoning Map Amendment, Mission Bay]

Ordinance amending the Zoning Map of the City and County of San Francisco for property located within Mission Bay in the area north of Sixteenth Street between Owens and Sixth Streets, portion of Lot 3 in Assessor's Block 3835, to change the use district classification from an MB-R-3 (Mission Bay High Density Residential) District to an MB-CI (Mission Bay Commercial-Industrial) District, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 36-97-3.1, 115-97-7, 115-97-8, and 271-97-3. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 036-97-003.

[Fire Department Medical Response Fees]

Draft ordinance amending Administrative Code by adding Chapter 10G (Sections 10G.1 through 10G.4) authorizing the Fire Department to make determinations of unit costs of Fire Department medical responses, authorizing the billing of patients served or transported. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 097-97-024.

[Bonding and Financial Assistance Program]

Ordinance amending Administrative Code Section 6.20-2 to expand the City's bonding assistance program, to authorize additional financial assistance to eligible contractors, and to extend the term of the program until June 30, 2000. Supervisor Leal presented. Referred to Finance Committee.

File 097-97-025.

[Planning Code Amendment, Mission Bay]

Ordinance amending Planning Code by amending Sections 913 and 920, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 115-97-8, 36-97-3, 36-97-3.1, and 271-97-3. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 115-97-007.

[Planning Code Amendment, Mission Bay]

Ordinance amending Planning Code by amending Tables 912, 913, and 914 and Section 962, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 115-97-7, 36-97-3, 36-97-3.1, and 271-97-3. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 115-97-008.

[Minority/Women/Local Business Enterprise Program]

Ordinance amending Administrative Code by adding Section 12D.2-2 and by amending Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12D.15(G) to set forth findings supporting six month extension of MBE/WBE/LBE Ordinance III and providing for the six month extension. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 284-97-001.

Referred to Board

[Commendation]

Resolution commending the volunteers who participated in the March 22nd Hate Crime Clean-up Day in the Sunset District. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 5, 1997.

File 006-97-074.

Monday, April 28, 1997

[Commendation]

Resolution commending the Chinese Chamber of Commerce for its commitment to the Chinese American community and declaring May 2, 1997 as "The Chinese Chamber of Commerce Day" in San Francisco. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 5, 1997.

File 006-97-075.

[Commendation]

Resolution commending the "Asian Pacific American Heritage Month" and declaring May 1997 as "Asian Pacific American Heritage Month" in the City and County of San Francisco. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 5, 1997.

File 006-97-076.

Referred to Committee

[MUNI Key Stop Green Committee]

Resolution declaring support for the April 22, 1997 recommendations of The Keep the Key Stop Green Committee regarding the N-Lines rail replacement and Key Stop Project, and further, urging MUNI to modify their design of the Irving Street Key Stop to incorporate these concerns and proposal of The Keep the Key Stop Green Committee. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 007-97-009.

Referred to Board

[Civil Grand Jury Act 1997]

Resolution declaring support for the Civil Grand Jury Training Communication and Efficiency Act of 1997 (AB 829). Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar May 5, 1997.

File 012-97-019.

[State Legislation AB 1164]

Resolution urging the California State Assembly to pass AB 1164 for relief of Californians making the transition from welfare to work and directing the Clerk to forward a copy of this resolution to the City's lobbyist in the City of Sacramento. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 5, 1997.

File 012-97-020.

Referred to Committee

[Mission Bay Plan Environmental Review]

Resolution adopting Addendum #2, to Final EIR, finding and determining that the proposed project, consisting of amendments to the Mission Bay Plan, zoning reclassification, and amendments to the Planning Code, will have significant impacts on the environment, and adopting and incorporating findings regarding Final Environmental Impact Report and Addendum #2 to Final EIR; companion measure to Files 36-97-3, 115-97-7, 115-97-8, and 271-97-3. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 036-97-003.01.

[Lease, Golden Gateway Garage]

Resolution endorsing the temporary use of a portion of the Golden Gateway Garage facility by the Department of Parking and Traffic (DPT), to accommodate the City's need for the towing and storage of cars illegally parked, and allowing DPT to deposit to a separate construction and land acquisition account the rental savings, estimated at \$40,000 per month, for the purpose of acquiring a site and constructing a facility for the permanent relocation of the function of towing and storage of cars illegally parked, provided that, pursuant to City Charter Section 16.110, Revenues for Public Transit, the temporary use of the Golden Gateway Garage shall not adversely affect current revenue received at the Golden Gateway Garage. Supervisor Teng presented. Referred to Finance Committee.

File 065-97-008.

Monday, April 28, 1997

[Appointment, Ethics Commission]

Resolution appointing member to the Ethics Commission (Esther Marks, nominee of Board of Supervisors, for unexpired portion of four year term ending June 8, 1998.). Supervisor Ammiano presented. Referred to Rules Committee.

File 092-97-017.

[Appointment, Ethics Commission]

Resolution appointing member to the Ethics Commission (Isabella Horton Grant, nominee Board of Supervisors, for unexpired portion of four-year term ending June 8, 1998.). Supervisor Kaufman presented. Referred to Rules Committee with request it be considered at the May 13, 1997 meeting.

File 092-97-018.

[Baby Brigade Rally]

Resolution supporting the efforts of the Baby Brigade Rally to bring attention to the need for affordable, quality childcare and family support services. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar May 5, 1997.

File 215-97-004.

[Affinity Phone Card]

Resolution authorizing the City Administrator to enter into an amendment to operating and licensing agreement for the San Francisco Affinity Phone Card program. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 172-97-025.

Referred to Board

[Children Services Plan Contract]

Resolution declaring the policy of the City and County of San Francisco to be that all Children's Services Plan (CSP) contracts require providers of family and children's services to make available basic preventative health care information to parents and other care givers. Supervisors Bierman, Yee, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar May 5, 1997.

File 185-97-002.

[White Zone, Pregnancy Consultation Center]

Resolution urging the San Francisco Department of Parking and Traffic to establish a white zone in front of the Pregnancy Consultation Center at 1801 Bush Street. Supervisors Katz, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar May 5, 1997.

File 190-97-008.

Referred to Committee

[Anti-Graffiti and Hate Crimes Program]

Substitute resolution creating the Anti-Graffiti and Hate Crimes program, that the program be led by the Taraval Station Police Captain and report to the Housing and Neighborhood Services Committee, and that the program be a pilot program; urging the San Francisco Art Commission, Youth Commission and the San Francisco Unified School District to develop an art project to encourage young people to express their artistic endeavors and to sponsor an anti-graffiti poster contest; and urging the San Francisco Police Department to appoint an Asian American officer to the Special Investigation Bureau, Hate Crimes Unit. Supervisors Teng, Yee, Katz, Newsom, Ammiano, Brown presented. Referred to Housing and Neighborhood Services Committee.

File 207-97-005.

[Graffiti Clean-up]

Resolution urging the Juvenile Probation Department to direct that juveniles convicted for defacing property be required, as a part of their probation, to perform community service by cleaning the graffiti from buildings and objects in a four-block area in the vicinity of the graffiti vandalism. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 214-97-003.

[Mission Bay General Plan Amendment]

Resolution approving amendments to a portion of the San Francisco General Plan, the Mission Bay Specific Plan, reclassifying a site within Mission Bay, located north of Sixteenth Street between Owens and Sixth Streets, a portion of Lot 3 in Assessor's Block 3835, to a designation permitting biotechnology research facilities; companion measure to Files 36-97-3, 36-97-3.1, 115-97-7, and 115-97-8. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 271-97-003.

Requests for Hearings:

[Garbage Strike Impact]

Hearing to inquire into the impact on rates and services for San Francisco residents caused by the recent garbage strike. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 057-97-001.

[Live/Work Units, Potrero Hill District]

Hearing to explore and investigate the current building of live/work units in Potrero Hill and their impact on the community. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 189-97-001.

[Security, Low-income and Public Housing]

Hearing on conduct and accountability of private armed security forces operating in low-income and public housing developments in San Francisco. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 206-97-002.

[Welfare Reform]

Hearing for welfare recipients on the implications of welfare reform. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 232-97-002.

Motions:

[Off Site Meeting]

Motion ordering the June 1997 meeting of the Housing and Neighborhood Services Committee of the San Francisco Board of Supervisors to be held on June 12, 1997, 5:30 pm, at the Everett Middle School Auditorium, 450 Church Street. Supervisor Medina presented. Referred to Rules Committee with request it be considered at the May 13, 1997 meeting.

File 054-97-004.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-040. [Franchesca Medina v. CCSF, et al.] Ordinance authorizing settlement of litigation of Franchesca Medina against the City and County of San Francisco by payment of \$9,000. (USDC No. C93-3910-MEJ). (City Attorney) Referred to Rules Committee.

File 045-97-041. [Hazel Rodgers v. CCSF, et al.] Ordinance authorizing settlement of litigation of Hazel Rodgers against the City and County of San Francisco by payment of \$25,000. (Superior Court No. 969-623). (City Attorney) Referred to Rules Committee.

File 045-97-042. [Shui Lan Tam/Hong On Lam v. CCSF] Ordinance authorizing settlement of litigation of Shui Lan Tam and Hong On Lam v. City and County of San Francisco by payment of \$35,000. (Superior Court No. 967-883). (City Attorney) Referred to Rules Committee.

File 045-97-043. [Anthony Ramirez v. CCSF, et al.] Ordinance authorizing settlement of litigation of Anthony Ramirez against the City and County of San Francisco by payment of \$7,000. (Superior Court No. 974-039). (City Attorney) Referred to Rules Committee.

File 045-97-045. [Debra Walker v. CCSF, et al.] Ordinance authorizing settlement of litigation of Debra Walker against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 975-901). (City Attorney) Referred to Rules Committee.

File 097-97-023. [City Attorney Conflict of Interest Code] Ordinance amending Administrative Code by amending Section 58.165, to include attorneys assigned to work for the Port of San Francisco. (City Attorney) Referred to Rules Committee.

File 121-97-002. [Tour Bus Restrictions] Substitute ordinance amending Police Code by adding Section 1184, regarding tour bus restrictions on streets accessing the Presidio. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

#### Resolutions Referred to Committee

File 025-97-007. [Prop J Contract, Parking Meter Collection Services] Resolution concurring with the Controller's certification that parking meter revenue collection services continue to be performed by a private contractor for a lower cost than the same services performed by civil service appointment. (Department of Parking & Traffic) Referred to Finance Committee.

File 038-97-003. [Gift Acceptance] Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of specialized computer equipment from N.E.C. Technologies to enhance the Department's Automated Fingerprint Identification System (AFIS). (Police Department) Referred to Rules Committee.

File 048-97-031. [Settlement of Claim, Clifford Gray/Gary Logan] Resolution approving the settlement of unlitigated claims of Clifford Gray for \$55,000 and Gary Logan for \$1.00. (City Attorney) Referred to Rules Committee.

File 048-97-032. [Settlement of Claim, Ann E. Schlegel] Resolution approving the settlement of the unlitigated claim of Ann E. Schlegel by payment of \$7,000. (City Attorney) Referred to Rules Committee.

File 048-97-033. [Settlement of Claim, Hoxie Development, Inc.] Resolution approving the settlement of the unlitigated claim of Hoxie Development, Inc. by payment of \$7,580. (City Attorney) Referred to Rules Committee.

File 064-97-006. [Lease of Property at 2601 Mission Street] Resolution authorizing the lease of real property at 2601 Mission Street for the Mission Branch Library. (Real Estate Department) Referred to Finance Committee.

File 065-97-007. [Lease of Property] Resolution authorizing five (5) leases to non-profit agencies of certain City properties under the purview of the Southeast Community Facility Commission. (Real Estate Department) Referred to Finance Committee.

File 146-97-011. [State Grant, Handicapped Transportation Services] Resolution authorizing the Department of Public Health, Laguna Honda Hospital, to apply for retroactively and accept and expend a grant in the amount of \$46,320, from the State of California, Department of Transportation (CALTRANS), for handicapped transportation services; providing for ratification of action previously taken and waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 146-97-012. [Federal Grant, Housing and Supportive Services] Resolution authorizing the Department of Public Health, Mental Health Services, to apply for retroactively and accept and expend a grant in the amount of \$316,776, from the Federal Department of Housing and Urban Development for supportive services and housing to mentally disabled clients; providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 146-97-013. [Federal Grant, Housing and Supportive Services] Resolution authorizing the Department of Public Health, Mental Health Services, to apply for retroactively and accept and expend a grant in the amount of \$503,717 from the Federal Department of Housing and Urban Development for supportive services and housing to mentally disabled clients; providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 172-97-024. [E-911 Project Agreement] Resolution approving the project agreement between the Department of Telecommunications and Information Services and TRW, Inc., for the E-911 Computer Aided Dispatch and Automated Information System. (Telecommunications and Information Services) Referred to Finance Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests: By Supervisor Teng, that City Attorney prepare ordinance which would prohibit the sale of any type of scribing tools, window etchers or diamond cutters to minors.

Monday, April 28, 1997

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Alan B. Wong (By the entire Board)

File 2-97-17

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:46 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 21, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors









